

manufacture, sale, or transportation of alcoholic liquors in the United States for the duration of the war; to the Committee on the Judiciary.

5596. Also, petition of Carrie Basserman and 108 other citizens of Cincinnati, Ohio, urging enactment of House bill 2082, a measure to reduce absenteeism, conserve manpower, and speed production of materials necessary for the winning of the war by prohibiting the manufacture, sale, or transportation of alcoholic liquors in the United States for the duration of the war; to the Committee on the Judiciary.

5597. Also, petition of Rev. Paul Leeds and 62 other citizens of Kinder, La., urging enactment of House bill 2082, a measure to reduce absenteeism, conserve manpower, and speed production of materials necessary for the winning of the war by prohibiting the manufacture, sale, or transportation of alcoholic liquors in the United States for the duration of the war; to the Committee on the Judiciary.

5598. By Mr. FELLOWS: Petition of Rev. H. W. Van Deman, of Damariscotta, Maine, and six others favoring enactment of House bill 2082, a measure to reduce absenteeism, conserve manpower, and speed production of materials necessary for the winning of the war by prohibiting the manufacture, sale, or transportation of alcoholic liquors in the United States for the duration of the war; to the Committee on the Judiciary.

5599. Also, petition of Walter G. Leland, of Sangerville, Maine, and 237 others, urging passage of House bill 3971 and Senate bill 1617; to the Committee on World War Veterans' Legislation.

5600. Also, petition of Albert Thibodeau, of Keegan, Maine, and 104 others, with reference to House bill 4384; to the Committee on Agriculture.

5601. By Mr. EDWIN ARTHUR HALL: Petitions of the Hall Furlough Club, No. 3, of West Endicott, N. Y., and signed by 88 residents of the Thirty-fourth Congressional District urging the passage of the Hall furlough bill (H. R. 1504) providing free transportation during furlough for members of our armed forces; to the Committee on Military Affairs.

5602. By Mr. JENSEN: Petition of Mrs. W. F. Masters, W. S. C. S., Methodist Church, and Mrs. J. E. Ely, Woman's Council, Church of Christ, Guthrie Center, Iowa, signed by 100 citizens of Guthrie Center, Iowa, petitioning the Congress of the United States to pass House bill 2082, introduced by Hon. JOSEPH R. BRYSON of South Carolina; to the Committee on the Judiciary.

5603. By Mr. LUTHER A. JOHNSON: Memorial of W. H. Langston, Jr., U. S. Army transport *Brazil*, care of Postmaster, New York, N. Y., favoring unemployment insurance for members of the merchant marine; to the Committee on the Merchant Marine and Fisheries.

5604. By Mr. KUNKEL: Petition of Triple Distributors, of Hershey, Pa., concerning House bill 2082; to the Committee on the Judiciary.

5605. Also petition of the Steelton Italian Club, of Steelton, Pa., concerning House bill 2082; to the Committee on the Judiciary.

5606. Also petition of the Dauphin County Disabled American Veterans Memorial Home Association of Harrisburg, Pa., concerning House bill 2082; to the Committee on the Judiciary.

5607. By the SPEAKER: Petition of the county chairman, Dodge County Republican Central Committee, Fremont, Nebr., petitioning consideration of their resolution with reference to appreciation of legislation giving all those serving in the armed forces an opportunity to vote a complete ballot; to the Committee on Election of President, Vice President, and Representatives in Congress.

5608. Also petition of the recording secretary, Ancient Order of Hibernians in America, County Board of Queens, petitioning consideration of their resolution with reference to the closing of consulates in Dublin, Ireland, and others; to the Committee on Foreign Affairs.

SENATE

WEDNESDAY, MAY 3, 1944

(Legislative day of Wednesday, April 12, 1944)

The Senate met at 12 o'clock meridian, on the expiration of the recess.

The Chaplain, Rev. Frederick Brown Harris, D. D., offered the following prayer:

O eternal God, creator and preserver of all mankind, giver of all spiritual grace, in the golden glory of the risen earth would that the blossoms of the divine grace of meekness, gentleness, charity, and forgiveness shall make the barren wastes of our own lives to bloom as the garden of the Lord. In a blasted earth, where evil stalks in hideous forms, we thank Thee for the lovely things that are as indestructible as sunbeams; the tender ministries of human love; the holy ties of devoted homes; the lilting laughter and clinging trust of little children.

In days when to follow the stern call of duty means to live dangerously, with the wings of our destiny plumed with hazard and unspeakable loss, knowing that the moving finger of each day's record having written returns not to erase one word of it, scorning all selfish aims and ambitions and enduring hardness as good soldiers of the common cause, may we fight the good fight with all our might sustained by the radiant assurance of the joy which comes when the morning breaketh and the shadows flee. We ask it in the dear Redeemer's name. Amen.

THE JOURNAL

On request of Mr. BARKLEY, and by unanimous consent, the reading of the Journal of the proceedings of the calendar day Tuesday, May 2, 1944, was dispensed with, and the Journal was approved.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Maurer, one of its reading clerks, announced that the House had passed without amendment the following bill and joint resolution of the Senate:

S. 698. An act to amend part II of Veterans Regulation No. 1 (a); and

S. J. Res. 112. Joint resolution authorizing and directing the Fish and Wildlife Service of the Department of the Interior to conduct a survey of the marine and fresh-water fishery resources of the United States, its Territories, and possessions.

The message also announced that the House had passed the bill (S. 156) relating to the status of retired judges, with amendments in which it requested the concurrence of the Senate.

The message further announced that the House had passed the joint resolution

(S. J. Res. 77) to establish a Board of Visitors for the United States Merchant Marine Academy, with an amendment in which it requested the concurrence of the Senate.

The message also announced that the House had passed the following bills, in which it requested the concurrence of the Senate:

H. R. 1263. An act for the relief of the estate of Ida Londinsky;

H. R. 1475. An act to amend further the Civil Service Retirement Act, approved May 29, 1930, as amended;

H. R. 1919. An act for the relief of Vannie Butler;

H. R. 2085. An act to provide for the disposition of tribal funds of the Minnesota Chippewa Tribe of Indians;

H. R. 2224. An act to extend certain benefits of the Canal Zone Retirement Act of March 2, 1931, as amended, to certain employees covered by the Civil Service Retirement Act of May 29, 1930, as amended;

H. R. 2605. An act for the relief of Charles W. Kirby;

H. R. 2674. An act for the relief of Adolphus M. Holman;

H. R. 2782. An act to grant Government employees who are members of certain military units leaves of absence for periods of active service;

H. R. 3033. An act for the relief of Tressie Spring and Mrs. Hazel Stutte;

H. R. 3464. An act for the relief of Ralph W. Cooley;

H. R. 3688. An act to change the name of "watchman" in the Postal Service to that of "post-office guard";

H. R. 3695. An act for the relief of the estate of Thomas Shea, deceased;

H. R. 3753. An act for the relief of the legal guardian of Virginia McMillan, a minor, and Howard McMillan;

H. R. 3929. An act for the relief of Katherine Scherer;

H. R. 3976. An act for the relief of Charles L. Kee;

H. R. 3998. An act authorizing payments of rewards to postal employees for inventions;

H. R. 4054. An act to extend the times for commencing and completing the construction of a bridge across the Calcasieu River at or near Lake Charles, La.;

H. R. 4108. An act relating to escapes of prisoners of war and interned enemy aliens;

H. R. 4109. An act to amend section 48 of the Criminal Code relating to receiving of stolen public property;

H. R. 4307. An act to amend the Canal Zone Code;

H. R. 4348. An act to amend the act approved August 18, 1942, entitled "An act to facilitate the disposition of prizes captured by the United States during the present war, and for other purposes";

H. R. 4519. An act to authorize the Administrator of Veterans' Affairs to furnish seeing-eye dogs for blind veterans;

H. R. 4525. An act for the relief of M. Grace Murphy, administratrix of the estate of John H. Murphy;

H. R. 4623. An act to authorize the use of space in the old post-office building in Portland, Ore., by the State of Oregon for its use as a museum for relics from the battleship *Oregon*, together with all other historical documents, objects, and relics of Oregon and the Old Oregon Country held by the State for public display;

H. R. 4680. An act to amend an act to grant increases in compensation to substitute employees in the Postal Service, and for other purposes, Public No. 266, Seventy-eighth Congress, chapter 134, second session (H. R. 2836), approved March 24, 1944; and

H. R. 4687. An act relating to issuance of postal notes.

EXECUTIVE COMMUNICATIONS, ETC.

The VICE PRESIDENT laid before the Senate the following letters, which were referred as indicated:

FEBRUARY 1944 REPORT OF NATIONAL WAR LABOR BOARD

A letter from the Chairman of the National War Labor Board, transmitting, pursuant to Senate Resolution 130, the twelfth monthly report of the Board covering the month of February 1944 (with accompanying papers); ordered to lie on the table.

REPORT OF OPERATIONS BY SMALLER WAR PLANTS CORPORATION

A letter from the Chairman of the War Production Board, transmitting, pursuant to law, the eleventh bimonthly report of operations of the Chairman of the War Production Board under section 5 of the act approved June 11, 1942 (Public Law 603, 77th Cong.), relating to the Smaller War Plants Corporation, submitted to the Chairman of the Board by the Vice Chairman, War Production Board, and chairman of the board of directors of the Smaller War Plants Corporation (with an accompanying report); to the Committee on Banking and Currency.

PETITIONS AND MEMORIALS

Petitions, etc., were laid before the Senate, or presented and referred as indicated:

By the VICE PRESIDENT:

A resolution by the Dodge County (Nebr.) Republican Convention expressing appreciation for the enactment by Congress of legislation providing a wartime method of voting by members of the armed forces; ordered to lie on the table.

By Mr. TYDINGS:

A petition of sundry citizens, members of the Women's Society of Christian Service of Hunt's Memorial Methodist Church, Ridgewood, Md., praying for the establishment of a just and durable peace; to the Committee on Foreign Relations.

RESOLUTIONS BY CONFERENCE ON THE ST. LAWRENCE SEAWAY PROJECT, OGDENSBURG, N. Y.

Mr. AIKEN. Mr. President, I present to the Senate three resolutions which were adopted at a conference held under the auspices of the Ogdensburg (N. Y.) Chamber of Commerce, April 25, 1944. One of the resolutions requests that the Committee on Commerce of the United States Senate give to the St. Lawrence seaway and power project the same prompt and fair public hearing and favorable action as may be accorded to the omnibus river and harbor bill, flood-control bill, and other pending legislation for post-war development.

The other two resolutions commend the senior Senator from New York [Mr. WAGNER] and Governor Dewey of New York for their attitude in regard to the St. Lawrence development.

I ask unanimous consent that the resolutions be printed in the RECORD and referred to the appropriate committee.

There being no objection, the resolutions were referred to the Committee on Commerce and ordered to be printed in the RECORD, as follows:

Whereas this conference has assembled to consider the means of furthering the completion of the St. Lawrence seaway and power project, as a permanent asset to our national security and to the prosperity and well-being of the people of all parts of our country; and

Whereas it is essential that sound public improvements be authorized by Congress now, in advance of the actual emergencies incident to conversion from war to peace production, if our millions of returning servicemen and war workers are to be spared the blighting effects of idleness and unemployment; and

Whereas the St. Lawrence seaway and power project has been approved by every engineering board, legislative committee, and international commission which has surveyed this development over the past half century; and

Whereas the President, the Departments of State, War, Navy, Commerce, and Agriculture, the Corps of Engineers, United States Army, the United States Maritime Commission, and numerous other official agencies of our Federal and State Governments have recommended construction of this project, under the terms of the pending Aiken bill, S. 1385; and

Whereas this bill has been referred to the Committee on Commerce of the United States Senate after approval of an identical bill by the House Committee on Rivers and Harbors by a 2 to 1 vote in the last Congress, after extensive public hearings; and

Whereas the same Committee on Commerce of the United States Senate is about to consider an omnibus rivers and harbors bill, already passed by the House and a flood control bill, authorizing many meritorious multipurpose projects in other parts of the Nation for post-war construction; and

Whereas the river and harbor bill and the flood-control bill, with pending amendments, propose to authorize more than \$1,500,000,000 for such projects, including \$200,000,000 additional for the lower Mississippi and \$200,000,000 additional for the Missouri River, and other power and navigation developments in the Southeast, where more than \$500,000,000 has already been appropriated to develop the Tennessee River and its tributaries for power, navigation, and other purposes; and

Whereas the net Federal cost to the United States of the entire St. Lawrence seaway project, deducting the cost of New York State's entirely self-liquidating power development, will be substantially less than \$200,000,000 according to the official report of the Corps of Engineers, which has completed plans and specifications for the project: Therefore be it

Resolved, That this conference requests that the Congress of the United States and the Committee on Commerce of the United States Senate give to the St. Lawrence seaway and power project the same prompt and fair public hearing and favorable action as may be accorded to the omnibus river and harbor bill, the flood control bill, and other pending legislation for post-war development; and be it further

Resolved, That we call the attention of the Committee on Commerce to the notorious fact that the St. Lawrence River is the major navigation and power resource available for development in the Northeast, and that the direct benefits of the project will extend to industry, agriculture, and all classes of our people in many States over an area reaching hundreds of miles beyond the sites of actual construction; and be it further

Resolved, That copies of this resolution be transmitted to the Honorable JAMES M. MEAD, junior Senator and the sole representative of the State of New York on the Committee on Commerce, to the Honorable GEORGE D. AIKEN, Senator from Vermont, author of the pending bill, and to all members of the New York delegation in Congress.

Whereas this conference has received a message on the St. Lawrence project from the Honorable ROBERT F. WAGNER, senior Senator

from the State of New York in the United States Senate; and

Whereas this message gives unqualified and affirmative support to the Aiken bill, S. 1385, to approve the United States-Canadian agreement of March 19, 1941, to authorize construction of the State's public power project in the International Rapids section, and to authorize construction of works needed to complete the Great Lakes-St. Lawrence seaway; and

Whereas Senator WAGNER has long advocated the improvement of the International Rapids section and has sought to advance and protect New York's interest in this development, under the terms of the pending agreement of 1941; and

Whereas the enactment of the Aiken bill will unquestionably furnish the most direct means of achieving the public benefits which Senator WAGNER envisions, on behalf of the people of the entire State of New York and of the whole Nation: Therefore be it

Resolved, That this conference strongly endorses the statesmanlike action taken by Senator WAGNER in support of the pending bill, insuring for this constructive, nonpartisan legislation the powerful aid of the senior Senator from the State of New York in the United States Senate; and be it further

Resolved, That copies of this resolution be transmitted to the Honorable ROBERT F. WAGNER, and to the President, the Vice President, the Speaker of the House, Hon. GEORGE D. AIKEN, Senator from Vermont, author of the pending bill, and to all Members of the New York delegation in the Congress.

Whereas the Honorable Thomas E. Dewey on March 27, 1940, in a public statement on the development of our natural resources, said: "I favor the St. Lawrence seaway and always have"; and

Whereas on October 10, 1942, he reaffirmed this declaration and clearly indicated, as reported by the New York Times, approval of the entire St. Lawrence project and strongly advocated the development of the power resources of the State by Government; and

Whereas the Legislature of the State of New York on March 15-16, 1944, by a unanimous, nonpartisan vote and with the approval of the Governor, adopted a concurrent resolution recommending prompt measures to develop the resources of the St. Lawrence River, under the inalienable ownership of the people, to meet urgent needs for cheap hydroelectric power in this area; and

Whereas by his farsighted and consistent support of the St. Lawrence project Governor Dewey has contributed greatly to the advancement of this development under a sound program for the beneficial public use of the State's major natural resource: Therefore be it

Resolved, That this conference heartily commends the progress made in the State of New York in carrying forward this program as an outstanding accomplishment in the public interest; and be it further

Resolved, That copies of this resolution be transmitted to the Governor, to the Lieutenant Governor, and to the speaker of the assembly.

POLES IN RUSSIA—LETTERS FROM ELEANOR RITCHIE NALLE

Mr. WALSH of Massachusetts. Mr. President, yesterday I received a very interesting and impressive letter from Eleanor Ritchie Nalle, whose United States address is Somerset post office, Virginia, but the letter is written from London, England. She signs herself in an article written by her to the Manchester Guardian as a member of the American National Red Cross. She encloses in her letter to me a clipping from

the Manchester Guardian of January 15, 1944, being her letter written to that newspaper. In her letter to the newspaper she writes:

From personal interviews with evacuees from Russia's vast isolated districts I know that the sufferings of this group of, roughly, over 600,000 Polish subjects and over 150,000 Estonians, Latvians, and Lithuanians are not propaganda reports but cold facts.

She suggests that inquiry ought to be made by this legislative body, and I ask that her letter, and the clipping from the Manchester Guardian, be treated in the nature of a petition, and published in the CONGRESSIONAL RECORD and referred to the Committee on Foreign Relations. In view of the fact that the resolution presented by me yesterday contains my views on the present Polish situation, I shall not take up the further time of the Senate.

There being no objection, the letter and clipping were referred to the Committee on Foreign Relations and ordered to be printed in the RECORD, as follows:

LONDON, ENGLAND, April 12, 1944.

Senator DAVID I. WALSH,

United States Senate,

Washington, D. C.

DEAR SIR: As an American citizen caught here in this country since July 1939, I have been much interested in the cause of the Poles, who, as you realize, have suffered as a nation in many ways from this war, probably more than any of the Allied Nations so far, having borne the brunt of Hitler's first full-force attack in Europe.

For some months I have been working personally to help in every way in the tragic situation of the deportee (both Polish and those from the Baltic states) who were taken on a few hours' notice in 1939 by the Soviet Government from their homes and dumped in various isolated districts of vast Russia.

I appeal to you and others of our legislative body on behalf of these suffering peoples now stranded within the territories of one of our most powerful allies. I understand that the present administration has set up with certain of our allies an organization to deal with relief and rehabilitation work in Allied territories as they become liberated. And this organization is known as U. N. R. R. A. I also understand our consulate departments are now under instructions to give help to Allied refugees. Yet I know of no provision so far made by the administration for relief to these Polish and Baltic states subjects in their tragic need now located in Russia.

The enclosed reprints all written by people with access to authentic sources of information describe to some extent the sufferings of these people. I myself am the author of one of the letters published by the Manchester Guardian which is a newspaper of the highest standing in England. I ask you this question. Is it not within the power of the Members of our legislative body to appoint a committee of inquiry to investigate why nothing has been done by our many relief organizations, including the American Red Cross and those newly set up to provide for the relief of those people in Russia whose sufferings are one of the byproducts of this terrible war? Even though the difficulties of transportation are great in Russia, it is certainly practicable to deliver relief materials if war materials are being delivered. As you will note from my published letter it is definitely practicable to get relief to individuals among these people in small packages.

Hoping that you will agree with me that this is a cause deserving of large-scale and prompt relief by our relief agencies and that

you will bring this subject into publicity among your colleagues with the idea of rousing their interest and action.

I am,

Sincerely yours,

ELEANOR R. NALLE.

United States address: Hazelhurst Farm, Somerset post office, Virginia.

[From the Manchester Guardian of January 15, 1944]

POLES IN RUSSIA

TO THE EDITOR OF THE MANCHESTER GUARDIAN.

SIR: May I be permitted to express my views as an American on the subject of the tragic situation of the enforced exiles from Poland and the Baltic States in Russia?

From personal interviews with evacuees from Russia's vast isolated districts I know that the sufferings of this group of roughly over 600,000 Polish subjects and over 150,000 Estonians, Latvians, and Lithuanians are not propaganda reports but cold facts. The report that Russian children are also suffering from lack of proper food, clothing, and shelter makes the situation all the more worthy of organized relief on a large scale, and right now before it is too late. Naturally my countrymen, if they fully realized this situation, would ask, "If war materials are going to Russia via Archangel and Teheran, why cannot relief materials, food, clothing, and medical supplies be going via the same routes for the specific purpose of relieving the condition of these exiles and the Russian children?"

Learning on unquestionable authority that the Polish Red Cross in Teheran has a list of individual names and addresses of approximately 200,000 Polish subjects in Russia, it seems logical to suggest that some system be organized on a large scale to send individual packages of food, clothes, etc., to these exiles. The Society of Friends, together with the American Red Cross, might undertake this work, with headquarters at Teheran. The writer considers this method under the conditions would be the only practicable and effective way of dealing with this problem. The public would be interested to know that there is now no international organization whatsoever in Russia for distribution of relief supplies.

Surely our Russian brothers in arms, so industrious in their work and so incredibly brave and persevering in their battles, will cooperate with us, their western allies, in this matter of humanitarian work within their own country.

Yours, etc.,

ELEANOR RITCHIE NALLIE,

Member American National Red Cross.

LONDON, W. 1, January 9.

RESTORATION OF STANDARD TIME—RESOLUTION BY KANSAS GRANGES

Mr. CAPPER. Mr. President, I ask unanimous consent to have printed in the RECORD and appropriately referred a resolution adopted by the members of Hawkeye Grange, No. 1050, McPherson County; Highland Grange, No. 1790, and Macon Grange, No. 1794, Harvey County, Kans., urging that standard time be restored. The farmers of the country never have believed in the change to war time; it interferes seriously with many farming operations and with farm life and living. And for myself I fail to see the advantages that were claimed would result from this dislocation.

There being no objection, the resolution was referred to the Committee on Interstate Commerce and ordered to be printed in the RECORD, as follows:

NEWTON, KANS., April 21, 1944.

The Honorable Senator CAPPER,

Washington, D. C.

DEAR SIR: We, the members of the Hawkeye Grange, No. 1050, in McPherson County; the Highland Grange, No. 1790, and the Macon Grange, No. 1794, in Harvey County, comprising 294 members, at a meeting of the Pomona Grange, voted to kindly ask you to make every effort to revert back to standard time as the war time is very inconvenient for agriculture.

Thanking you kindly, we are

Respectfully,

C. A. TINSLEY, Master.

LILLIAN TANGEMAN, Secretary.

PERMANENT UNIVERSAL MILITARY SERVICE—RESOLUTIONS FROM KANSAS

Mr. CAPPER. Mr. President, I have received a letter embodying resolutions approved by representatives of nearly every college in Kansas, at a post-war conference held in Lawrence, Kans., April 17 and 18, 1943, urging that consideration and adoption of permanent universal military service by Congress be postponed until after the war.

It seems to me that there is considerable merit in such a postponement. As pointed out in an accompanying statement from Dean Paul B. Lawson, college of liberal arts and sciences at the University of Kansas, it is impossible to know what our future military needs will be until we are able to obtain some sort of picture of the post-war world.

Moreover, a program dealing with universal military service will receive better and more sensible consideration after we are through with the emotional stresses and strains of a nation at war.

I agree with these educators also that the returned servicemen should have a say in what kind of a military establishment the United States is to have in peacetime, and, obviously, they can have little if any influence on such legislation while they are overseas in the armed forces. I ask unanimous consent to have printed in the RECORD as part of my remarks the resolutions and statement from Dean Lawson, which I send to the desk.

There being no objection, the letter embodying resolutions was referred to the Committee on Military Affairs and ordered to be printed in the RECORD, as follows:

THE UNIVERSITY OF KANSAS,

Lawrence, Kans., April 21, 1944.

Senator ARTHUR CAPPER,

United States Senate,

Washington, D. C.

MY DEAR SENATOR CAPPER: At a conference on post-war college problems, held at the University of Kansas on April 17 and 18, and to which practically every college in the State sent its key men as representatives, the following resolution was adopted:

"Resolved, That it is the sense of this conference that no action on any plan for universal military training in peacetime should be taken by the Congress of the United States until after the cessation of hostilities.

"Resolved further, That the above resolution be transmitted to the Senators and the Representatives from the State of Kansas."

I was instructed by the conference to transmit this resolution to you with the explanation that the resolution is not to be construed in any way as opposing universal military training. The conference, however, opposed immediate action by the Congress on this question for the following reasons:

1. It is impossible to know what our future military needs will be until the war has ended and until the peace terms give us a clearer picture of post-war world conditions.

2. The wisest provisions for such a radical change in American life as universal military service in peacetime cannot be worked out in a judicious manner under the emotional stresses and strains of a nation at war.

3. There are a number of ways in which a universal military training program can be set up. Some plans might be seriously detrimental both to students and schools, and others need not be a handicap to either. All of these ways should be carefully studied before any one of them is enacted into law.

4. The men in the armed forces should have the opportunity to make their contribution to the thinking on this subject, and we cannot see that there is any need to hurry a decision on such a major question before their return from overseas.

I believe this resolution represents the considered thought of a very large majority, if not all, of the administrators of our Kansas colleges. I am very sure this group would be deeply grateful to you for your careful consideration of the question, and I personally want to thank you for the attention which I know you will give it.

Sincerely yours,

PAUL B. LAWSON, Dean.

BILLS AND JOINT RESOLUTIONS INTRODUCED

Bills and joint resolutions were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. McKELLAR:

S. 1885. A bill for the relief of Oscar Griggs (with accompanying papers); to the Committee on Claims.

By Mr. WALSH of Massachusetts:

S. 1886. A bill to provide for the reimbursement of the town of Watertown, Mass., for the loss of taxes on certain property in such town acquired by the United States for use for military purposes; to the Committee on Claims.

By Mr. CLARK of Missouri:

S. 1887. A bill to provide for emergency flood-control work made necessary by recent floods, and for other purposes; to the Committee on Commerce.

By Mr. LANGER:

S. 1888. A bill to authorize suits for benefits claimed to be payable under laws administered by the Veterans' Administration, and for other purposes; to the Committee on Finance.

S. 1889. A bill to provide for use and delivery for irrigation purposes of waters stored at Fort Peck Dam, Mont.; to the Committee on Irrigation and Reclamation.

By Mr. GILLETTE:

S. J. Res. 128. Joint resolution relating to the employment of counsel to the subcommittee of the Committee on Agriculture and Forestry of the Senate investigating certain matters; to the Committee on the Judiciary.

By Mr. BARKLEY:

S. J. Res. 129. Joint resolution to provide for the reappointment of Harvey N. Davis and Arthur H. Compton as members of the Board of Regents of the Smithsonian Institution; to the Committee on the Library.

HOUSE BILLS REFERRED OR PLACED ON THE CALENDAR

The following bills were severally read twice by their titles and referred, or ordered to be placed on the calendar, as indicated:

H. R. 1268. An act for the relief of the estate of Ida Londinsky;

H. R. 1919. An act for the relief of Vannie Butler;

H. R. 2605. An act for the relief of Charles W. Kirby;

H. R. 2674. An act for the relief of Adolphus M. Holman;

H. R. 3033. An act for the relief of Tressie Spring and Mrs. Hazel Stutte;

H. R. 3464. An act for the relief of Ralph W. Cooley;

H. R. 3695. An act for the relief of the estate of Thomas Shea, deceased;

H. R. 3753. An act for the relief of the legal guardian of Virginia McMillan, a minor, and Howard McMillan;

H. R. 3929. An act for the relief of Katherine Scherer;

H. R. 3976. An act for the relief of Charles L. Kee; and

H. R. 4525. An act for the relief of M. Grace Murphy, administratrix of the estate of John H. Murphy; to the Committee on Claims.

H. R. 1475. An act to amend further the Civil Service Retirement Act, approved May 29, 1930, as amended; ordered to be placed on the calendar.

H. R. 2035. An act to provide for the disposition of tribal funds of the Minnesota Chippewa Tribe of Indians; to the Committee on Indian Affairs.

H. R. 2224. An act to extend certain benefits of the Canal Zone Retirement Act of March 2, 1931, as amended, to certain employees covered by the Civil Service Retirement Act of May 29, 1930, as amended; and

H. R. 4307. An act to amend the Canal Zone Code; to the Committee on Inter-oceanic Canals.

H. R. 2782. An act to grant Government employees who are members of certain military units leaves of absence for periods of active service; to the Committee on Civil Service.

H. R. 3683. An act to change the name of "watchman" in the Postal Service to that of "post-office guard";

H. R. 3998. An act authorizing payments of rewards to postal employees for inventions;

H. R. 4680. An act to amend an act to grant increases in compensation to substitute employees in the Postal Service, and for other purposes, Public, No. 266, Seventy-eighth Congress, chapter 134, second session (H. R. 2836), approved March 24, 1944; and

H. R. 4687. An act relating to issuance of postal notes; to the Committee on Post Offices and Post Roads.

H. R. 4054. An act to extend the times for commencing and completing the construction of a bridge across the Calcasieu River at or near Lake Charles, La.; to the Committee on Commerce.

H. R. 4103. An act relating to escapes of prisoners of war and interned enemy aliens;

H. R. 4109. An act to amend section 48 of the Criminal Code relating to receiving of stolen public property; and

H. R. 4348. An act to amend the Act approved August 18, 1942, entitled "An act to facilitate the disposition of prizes captured by the United States during the present war, and for other purposes"; to the Committee on the Judiciary.

H. R. 4519. An act to authorize the Administrator of Veterans' Affairs to furnish seeing-eye dogs for blind veterans; to the Committee on Finance.

H. R. 4623. An act to authorize the use of space in the old post-office building in Portland, Ore., by the State of Oregon for its use as a museum for relics from the battleship Oregon, together with all other historical documents, objects, and relics of Oregon and the Old Oregon Country held by the State for public display; to the Committee on Public Buildings and Grounds.

AMENDMENT RELATING TO CIVIL SERVICE RETIREMENT FUND

Mr. MEAD submitted an amendment intended to be proposed by him to the bill (H. R. 4320) relating to the computa-

tion of interest on contributions to the civil-service retirement fund returned to employees upon their separation from the service, which was ordered to lie on the table and to be printed.

EXTENSION OF EMERGENCY PRICE CONTROL ACT—AMENDMENTS

Mr. JOHNSON of Colorado submitted sundry amendments intended to be proposed by him to the bill (S. 1764) to amend the Emergency Price Control Act of 1942 (Public Law 421, 77th Cong.) as amended by the act of October 2, 1942 (Public Law 729, 77th Cong.), which were severally referred to the Committee on Banking and Currency and ordered to be printed.

USE OF RAYON AND OTHER SYNTHETIC PRODUCTS AS SUBSTITUTES FOR COTTON AND WOOL

Mr. BANKHEAD submitted the following resolution (S. Res. 291), which was referred to the Committee on Agriculture and Forestry:

Resolved, That the Committee on Agriculture and Forestry, or any duly authorized subcommittee thereof, is authorized and directed to make a full and complete study and investigation with respect to the use of rayon and other synthetic products as substitutes for cotton and wool, including the extent of the use of such synthetic products and their effect upon the Nation's economy, the cost, utility, and economy of such synthetic products, the material and manpower required for their production and the effect of using such material and manpower for that purpose, the extent to which and terms upon which Government agencies have encouraged and financed the production of such synthetic products, and such other matters related to such products as the committee deems appropriate. The committee shall report to the Senate at the earliest practicable date the results of its study and investigation, together with such recommendations as it may deem desirable.

For the purpose of this study and investigation, the committee, or any duly authorized subcommittee thereof, is authorized to hold such hearings, to sit and act at such times and places during the sessions, recesses, and adjourned periods of the Seventy-eighth Congress, to employ such clerical and other assistants, to require by subpoena or otherwise the attendance of such witnesses and the production of such correspondence, books, papers, and documents, to administer such oaths, to take such testimony, and to make such expenditures, as it deems advisable. The cost of stenographic services to report such hearings shall not be in excess of 25 cents per hundred words. The expenses of the committee under this resolution, which shall not exceed \$10,000, shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman of the committee.

STATUS OF RETIRED JUDGES

The VICE PRESIDENT laid before the Senate the amendments of the House of Representatives to the bill (S. 156) relating to the status of retired judges, which were, on page 2, line 9, to strike out "circuit" and insert "judicial"; on page 2, line 10, to strike out "circuit" where it appears the third time; on page 2, line 22, after "provided", to insert "or as provided by an act approved December 29, 1942, entitled 'An act to amend the Judicial Code to authorize the Chief Justice of the United States to assign circuit judges to temporary duty in cir-

cuits other than their own"; on page 4, line 2, after "residence", to insert "at the time of his appointment"; on page 4, line 21, to strike out "circuit" where it appears the second time and insert "judicial"; and on page 4, lines 22 and 23, to strike out "circuit" and insert "judicial."

Mr. KILGORE. I move that the Senate concur in the House amendments, which I think are very desirable.

The motion was agreed to.

THE FLIGHT OF AMERICA'S WHITE-COLLAR WORKERS—ARTICLE BY SENATOR THOMAS OF UTAH

[Mr. MURRAY asked and obtained leave to have printed in the Record an article entitled "20,000,000 Forgotten Americans," written by Senator Thomas of Utah, and published in the American magazine of May 1944, which appears in the Appendix.]

STATEMENT OF SENATOR TAFT IN VOTING FOR THE CONNALLY RESOLUTION

[Mr. TAFT asked and obtained leave to have printed in the Record a statement by him regarding his vote for the Connally resolution, together with a copy of the Connally resolution, which appear in the Appendix.]

POST-WAR WORLD ORGANIZATION—ADDRESS BY DAVID DUBINSKY

[Mr. MEAD asked and obtained leave to have printed in the Record an address on Post-war World Organization, delivered by David Dubinsky, at the American Federation of Labor Post-war Planning Forum, Hotel Commodore, New York, April 12, 1944 which appears in the Appendix.]

CANDIDACY OF SENATOR LUCAS—EDITORIAL FROM ALTON (ILL.) EVENING TELEGRAPH

[Mr. BARKLEY asked and obtained leave to have printed in the Record an editorial entitled "Scott Lucas Announces for Re-election," from the Alton (Ill.) Evening Telegraph of February 19, 1944, which appears in the Appendix.]

ALL VOTES ARE SOLDIER VOTES—EDITORIAL BY EDWARD LINDSAY

[Mr. BARKLEY asked and obtained leave to have printed in the Record an editorial entitled "All Votes Are Soldier Votes," written by Edward Lindsay, and published in the Decatur Herald-Review of Decatur, Ill., on February 6, 1944, which appears in the Appendix.]

LEND-LEASE SCARECROWS—EDITORIAL FROM THE LEXINGTON (KY.) HERALD

[Mr. BARKLEY asked and obtained leave to have printed in the Appendix of the Record an editorial entitled "Lend-Lease Scarecrows," published in the Lexington (Ky.) Herald of April 19, 1944, which appears in the Appendix.]

BILL BAILEY AND THE FOUR PILLARS—ARTICLE BY F. P. McEVoy

[Mr. McKELLAR asked and obtained leave to have printed in the Record an article entitled "Bill Bailey and the Four Pillars," written by F. P. McEvoy, and published in the Reader's Digest of April 1944, which appears in the Appendix.]

SEIZURE OF THE MONTGOMERY WARD PLANT—EDITORIAL FROM OTTAWA (ILL.) DAILY REPUBLICAN-TIMES

[Mr. BROOKS asked and obtained leave to have printed in the Record an editorial entitled "By Due Process of Force," published in the April 29, 1944, issue of the Ottawa (Ill.) Daily Republican-Times, which appears in the Appendix.]

ADDITIONAL DETAILS CONCERNING THE ATLANTIC CHARTER CONFERENCE—NEWSPAPER ARTICLES

[Mr. DANAHY asked and obtained leave to have printed in the Record several newspaper articles giving additional details concerning the Atlantic Charter conference, which appear in the Appendix.]

ONE HUNDRED AND FIFTY-THIRD ANNIVERSARY OF THE POLISH CONSTITUTION

Mr. WAGNER. Mr. President, today is the one hundred and fifty-third anniversary of a great event in the history of Poland—the adoption of the Polish Constitution.

This historic document was adopted by the freedom-loving people of Poland on May 3, 1791, less than 3 years after the ratification of the Constitution of the United States. The first written democratic constitution to be adopted by a European nation, it resembles our own Constitution in many respects. It recognized the fundamental principle of democracy that "all power in civil society is derived from the will of the people." It guaranteed freedom of religion. It adopted the principle of division of authority among the executive, legislative, and judicial branches.

The Polish people are proud of their constitution. It is an immortal testament to the political genius of a people who during the past 150 years have enjoyed only two decades of national freedom. Their feeling for it has been well expressed by one of their great poets in the following words:

This law did not emerge from the brain of an isolated sage, from the lips of a few administrators, but was drawn from the heart of the great mass; it is not merely written in black and white, but it still lives in the memory, in the desires of the generations, and it is a living law, rooted in the past, and developing in the future. In the May constitution, the national element, the child of past traditions, is nurtured on the new present-day needs of the Nation. Hence it has been well and justly said that the May constitution is the political testament of the former Poland.

Even while Poland was reaching out toward true democracy, her despotic neighbors were plotting her destruction. In 1795, Poland was overrun by invaders and partitioned out of existence. But the spirit of Polish freedom could neither be conquered nor partitioned. It lived on, and the constitution of 1791 remained its eternal symbol. In the dark days of oppression which followed, the Polish people held fast to their heritage and each year, on May 3, they dedicated themselves anew to the vision of a free Poland.

Their faith was vindicated and their patience rewarded at the close of the last war when Poland was liberated and the Nation was reborn.

A quarter of a century has passed and we are in the midst of a global war. We all remember that fateful day in September 1939 when Hitler launched his unprovoked attack upon Poland. The people of Poland, true to their glorious traditions of freedom and courage, resisted the Nazi aggressor with every resource at their command. The world will

never forget the heroic defense of Warsaw in the face of overwhelming odds. But courage and heroism alone could not withstand bombers and tanks. After 4 weeks of desperate resistance Poland fell before the invader.

Poland fell, but the spirit of Poland lives on. Poland's enemies have learned that defeat cannot break the indomitable will of a freedom-loving people. Despite unspeakable suffering, despite the atrocities and horrible tortures which the ruthless Nazis have inflicted upon them, the Polish people fight on. Despite every inducement which Hitler could offer, no traitorous Quisling was found among the people of Poland.

Their answer to Nazi reprisals has been more sabotage and greater resistance. Scores of underground newspapers nourish the spirit of resistance and keep it alive. Polish soldiers, sailors, and airmen are fighting on every front on land, on the seas, and in the skies. The Polish Air Force, which fought so bravely in the battle of Britain, still fights beside the R. A. F. and the American Air Forces, and helps in smashing the roof of Hitler's fortress Europe. Polish soldiers have fought in France, in Norway, in Africa, and in Italy. Here is our own country, over 5,000,000 Americans of Polish extraction are in the forefront of the war effort of the United States.

It is fitting that we should pause on this day to pay a deserved tribute to our great ally, the heroic people of Poland. They can feel assured that Poland will soon live again as a free and independent nation and that the hopes embodied in the constitution of May 3, 1791, are close to fulfillment.

Mr. MEAD. Mr. President, I ask unanimous consent to have made a part of my remarks the text of a telegram sent by the President of the United States to the President of Poland on the occasion of the national anniversary of Poland, May 3, 1944. In the telegram, which is addressed to His Excellency, Wladyslaw Raczekiewicz, President of the Polish Republic, London, England, the President goes on to say:

On the occasion of the national anniversary of Poland, I take great pleasure in sending to the Polish people through you my greetings and best wishes in which I am joined by the people of the United States. It is fitting—

The President goes on to say further—to recall in this fateful fifth year of the war that it was Poland who first defied the Nazi hordes. The continued resistance of the Polish people against their Nazi oppressors is an inspiration to all. The relentless struggle being carried on by the United Nations will hasten victory and the liberation of all freedom-loving peoples.

FRANKLIN D. ROOSEVELT.

Mr. President, when the Polish Government concluded its alliance with Great Britain in that hectic spring of 1939, she realized full well the seriousness of her action. True, it was a generous step on the part of the British Government, but it was conceded under the existing circumstances that Britain could not give much effective help in case Poland were attacked by the Nazi military machine. Poland by concluding the

treaty undertook to bear the brunt of the attack, a condition inherent in the terms of the treaty.

This decision on the part of Poland to cast her lot with Great Britain was deeply resented in Berlin, for it caused the Nazi war makers to change their plans of conquest.

Poland, because of her geographical location, and her pledge to Great Britain, was now to become the first to fight. This was indeed a brave decision, when one looks back and considers the disparity in the military forces of the two nations. Other nations fell for the subtle Nazi propaganda, and allied themselves with Hitler's plan of conquest. Still other nations submitted and were overrun but not devastated. There were some who resisted mildly and suffered like penalty. Some few others fought with all they had, and were subject to the cruelties of the enemy army of occupation.

However, Poland was called upon to be the first to feel the impact of the mechanized Nazi machine. She was the first to resist Nazi aggression. Poland not only changed the Nazi plan of world conquest—she gave the world a preview of Hitler's military might; more than that, she gave Britain and France time to prepare for the inevitable.

Poland's courageous determination to fight for principles robbed Hitler of the element of surprise in his plans for the invasion of France and the Low Countries and gave warning to the western nations of Europe to prepare, for they were soon to face similar attack.

Poland stood up bravely fighting it out from September 1 until October 5, the date of the last battle in which regular enemy forces were engaged. After October 5 guerilla warfare continued, and when that died away an effective underground came into being.

These 35 days of major warfare in the autumn of 1939 prevented further Nazi military activities until the summer of 1940. Think of the consequences of a sudden surprise attack on France and England in 1939. Poland prevented such a disastrous event, and by her action many military experts believe saved the day for the United Nations. Both her government and her people fought for us then. It is our simple duty to stand by her now and also when the peace shall be determined.

The Polish war was by no means a pushover for Hitler's mechanized forces. Warsaw held out for 3 weeks, and its losses in killed exceeded the losses sustained by the whole of Great Britain in 3 years of aerial warfare.

On September 30 Modlin capitulated, but only after its supplies and ammunition became exhausted. On October 2 General Kleeberg led his Polish troops in the Battle of Kock against overwhelming Nazi forces. After 3 days of desperate fighting, and with Soviet armored forces encircling his rear, Kleeberg was forced to cease fighting.

Seventeen thousand men, 5,000 horses, besides a large number of cannon, guns, and ammunition, according to Nazi reports, were captured, which gives one an idea of the size of the last army that

faced 75 mechanized Nazi divisions operating in Poland.

Poland's losses were terrific. The nation lay in ruins. The Soviet and Nazi forces occupied the country. Poland was partitioned again.

But—and this is all important—the war was not lost to the United Nations in 1939. Although defeated in Poland the war was not over for the Polish military forces. Their navy continued the struggle without a break. The army was in the thick of the Norwegian campaign in early 1940 and later the same year in France. The air force was being absorbed by the R. A. F.

Following the fall of France, the Polish forces made their way to Britain, where they could continue the struggle.

The Carpathian Brigade found its way south through Palestine and fought effectively at Libya and Tobruk.

They never gave up the struggle to regain the freedom of their homeland, and to assure the same privileges to their fellow men.

They traveled as far as around the globe to reenter the contest. They fought in Poland, Norway, France, north Africa, and the Middle East. On land, in the air, and upon the sea, the men of Poland carried on. In the conquered countries throughout Europe they are foremost in sabotage and in underground operations.

According to statistics given out in 1943, Poland's military strength was excelled by only four other nations.

The Polish air force now with the R. A. F. is stronger than it was in 1939. I saw them in action while in England, and was told they fight with reckless abandon so far as their own safety is concerned. "They are absolutely fearless in action," explained one British officer. "We have difficulty holding them in check."

The Polish Navy is also stronger and better equipped than it was before the war began. With the occupation of Poland every Polish ship went to Britain or went down fighting in the attempt.

The Polish Army, once seventh in size in the world, is smaller than in 1939. However, it is fifth in size among the Allies, according to 1943 figures. It is poised for the great invasion, and the world will shortly hear again of its exploits on the battlefields of Europe.

On the anniversary of Poland's Constitution, I review her epic struggle as one of our foremost fighting allies. I commend the courage and sacrifice of her indomitable people, and above all I appeal to the sense of justice of the United Nations to be fair and considerate of her aims and aspirations when victory comes and peace dawns upon a war-weary world.

We have achieved marvelous results in the conferences held at Moscow, Teheran, and Cairo. We are sustained in our faith that the United Nations can and will continue to work together as a harmonious team.

The communiqué jointly issued by Mr. Molotov, Mr. Eden, and Mr. Hull at Moscow gave us hope for a closer unity among the nations in determining the

problems of today and tomorrow. That communiqué said:

The conference agreed to set up machinery for insuring the closest cooperation between the three governments in the examination of European questions arising as the war develops.

That was a magnificent statement. It contains unquestionably the keystone upon which the future peace must rest. The closest cooperation between the three most powerful of the United Nations will destroy the attempts of our enemy to divide our people and frustrate our noble enterprise. Again, Mr. President, I appeal to the leadership of the great powers who wage this war to destroy aggression and injustice, to consider Poland's case in the light of the mighty contributions she has and is so heroically continuing to make.

In connection with this subject, Mr. President, I ask to have inserted in the RECORD as part of my remarks a statement issued by a group of United States citizens, all of whom were vigorous pioneers in the cause of aid to Russia, all of whom are steadfast in their advocacy of unity among the United Nations.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

We believe the time has come when those Americans who regard close cooperation with Soviet Russia as a cornerstone of victory and permanent peace should address a word of appeal to our Russian allies. We speak as individuals who have favored all-out aid to Russia ever since Hitler's unprovoked attack in 1941.

Because of the necessity for tactful avoidance of unnecessary criticism between allies in time of war * * * we have hitherto allowed some things which aroused misgiving to pass in silence. Recent events, however, have convinced us that continued silence will only play into the hands of the isolationists and enemies of aid to Russia. For they are not silent, and every act of the Soviet press or government which can be misunderstood or criticized in America is grist to their mill. * * *

In common with every loyal citizen of the United Nations we welcomed the declarations of Teheran and Moscow, which explicitly reaffirmed the earlier declaration of January 1, 1942, pledging support for the purposes and principles of the Atlantic Charter. * * * And we welcomed especially the joint communiqués issued at Moscow by Mr. Molotov, Mr. Eden, and Mr. Hull, which said:

"The conference agreed to set up machinery for insuring the closest cooperation between the three governments in the examination of European questions arising as the war develops. * * *

Because of all this, the apparent determination of the Soviet Government to insist on a unilateral settlement of the Polish problem, without mediation or consent either of Russia's allies or the Polish Government, has come as a shock to American opinion.

The American and British peoples cannot forget that Poland was the first nation to stop Hitler's procession of bloodless victories. The Poles determined to fight even though war meant the temporary conquest and enslavement of Poland, because they believed that the justice of Poland's cause and the loyalty of her allies would insure her resurrection in the end.

They made this decision at a time when Russia thought it necessary to collaborate with Hitler, and yet Poland, after suffering untold agony, is now asked to surrender far

more to Russia than what she refused to give Hitler. For the Curzon line frontier demanded by Russia is close to the Hitler-Stalin line of 1939. It means a loss of 47% of pre-war Poland, while it represents a gain of less than 1% for the Soviet Union. The Polish Government has declared its readiness to discuss concessions, but no government, least of all a government in exile, could make such concessions as this without the express consent of the Polish people. * * *

As for the Polish Government in Exile, it is not our concern to pass judgment upon the merits of some of Russia's complaints against it. But it is at least a legitimate Government, supported by the Polish Underground and composed almost entirely of men and parties who opposed the dictatorship of the Polish colonels. * * *

It is for the Polish people and for them alone to decide how far they will recognize the present Government when they are free. In the meantime, if improvements along democratic lines are to be made they cannot be dictated from outside, least of all dictated by one great power which is not now a democracy. For how can we uphold the principle of a strong and independent Poland, to which Russia is committed, if Russia alone is to decide unilaterally what constitutes a democratic Polish Government?

It would make little difference whether a unilateral Russian policy is imposed direct from Moscow or through the Ukrainian or White Russian Soviet Republics. Nor is the problem solved by the proposal to compensate Poland for the loss of much of the country to which she has strong historical and cultural claims by giving her territories to the north and west, where her claims are infinitely less. That would mean two violations of the spirit of the Atlantic Charter instead of one. Whatever is done should be done for the sake of a just and permanent peace—not by robbing Peter to pay Paul.

If, therefore, Russia values America's friendship as we believe she does, she must not use her power to impose either an unjust frontier or a puppet government upon the Polish people. Russia must choose. She can impose her will but she cannot impose it without estranging millions of Americans whose opinions may be decisive in the development of our foreign policy. And Russia will estrange others besides Americans, for what will millions of citizens of the small conquered (and satellite) countries have to hope from an Allied victory if this is how we discharge our obligations to Poland? Such a default would be worth many battalions to Hitler. We hope, therefore, that Russia's immense power will enable her to be generous. * * *

Therefore, in the interest of all the United Nations, we urge the British and American Governments to raise these questions with the Soviet Government, and we ourselves appeal to our Russian allies to take cognizance of the legitimate disquiet of the American people. We ask this not only because it would strengthen our unity in the war and hasten the day of victory, but because it would cement the friendship between the Russian and American peoples in the crucial years to come.

Mr. LUCAS. Mr. President, I wish at this point to commend the two able and distinguished Senators from New York for the fine contributions they have made to the memory of the immortal document that was adopted by the Polish Parliament in 1791. I also wish to add a brief statement to what the two Senators have said.

On May 3, 1791, the Polish Parliament passed the first written democratic constitution for Poland. This constitution provided for liberty and equal rights for

all men. One hundred and fifty-three years have come and gone since Poland adopted this declaration of freedom and independence.

Indeed, it is fitting and proper that we in the United States Senate pause briefly on this anniversary and pay tribute to a brave people who, since the memorable 3d day of May 1791 have continued to remember the significance of the reforms found in that imperishable document.

It is sad to know that free Poland in 1795 capitulated through war to her powerful neighbors, and ceased to exist as an independent state until 1918, when a new day dawned, and she again resumed the place that was hers among the nations of the earth.

The Polish love of liberty and democracy was deep-rooted in the Polish people when Adolf Hitler overpowered that nation in 1939. Poland was the first nation to challenge the brutal Nazi force with force. With hopeless defeat staring Poland in the face, that nation chose to fight and die rather than surrender to the enemies of freedom. The democracies of the world and their allies in this tragic struggle will always remember the heroic Poland of 1939.

The countless deaths, the untold suffering, and the unlimited torturing of the Polish people under Nazi rule is high unbelievable in a day when civilization is presumed to be on the march, but all this ruthlessness and brutal power has never conquered the spirit of a free people.

Today throughout Poland the underground warriors of liberty are celebrating the founding of the Polish Constitution. Under the greatest of odds, Poland fights on. Her spirit of freedom shall never die. And soon another new day will dawn in Poland. She will rise from her present yoke of Nazi terror and bondage, and in the peaceful days to come she will once again take her place, her rightful place, among the nations of the earth.

FINLAND'S POSITION IN THE WAR

Mr. WHEELER. Mr. President, at the outset I wish to say that I agree with everything that has been said on the floor of the Senate concerning the Polish people and their history. But at this time, because there seems to be so much misunderstanding with respect to the position of poor little Finland, I wish to call attention to an article which appeared in the publication *The Nineteenth Century and Afterwards*, one of the oldest British publications, edited by F. A. Voigt, who has been a close adviser to Lord Vansittart for many years, Under Secretary of the British Foreign Office. Voigt was former editor, I am told, of the very liberal newspaper the *Manchester Guardian*. It should be remembered that Great Britain has declared war upon Finland, and consequently it is all the more remarkable that the article in question appears in this publication at this time. The article appears in the March 1944 issue of the publication, and the writer of the article has this to say:

It is not true that Finland took advantage of the occasion offered by the German attack on Russia in June 1941 to avenge the defeat she suffered at the hands of the Red Army in the previous year and to recover her

lost territories. Finland was not the aggressor—she was, for the second time, the victim of aggression.

Under the treaty of peace which was signed between Finland and Russia on March 13, 1940, the new frontiers were drawn not only to make the defense of the Gulf of Finland and of Leningrad easier but also to render Finland wholly unable to resist renewed invasion. Although Russia had declared herself satisfied with the treaty, she profited by the helplessness to which Finland had been reduced to impinge upon Finnish domestic affairs and Finnish foreign policy. For example, Finland attempted to promote a defensive association of the Nordic countries which, had it come into existence, would have drawn Finland, Norway, and Sweden together against Germany. Under Russian pressure Finland was obliged to desist. The personnel in the Russian Legation at Helsinki and in the Russian consulates throughout Finland was numerous far beyond normal needs, and there was constant interference in Finnish internal affairs. Demands, which had not been made in the peace negotiations, were made when Finland was unable to resist them. Amongst these demands were the demilitarization of the Aaland Isles under Russian control, a preponderant Russian share in the management of the Petsamo nickel mines, the surrender of rolling stock beyond the amount stipulated in the treaty, compensation for goods removed from the ceded areas, the cession of the Vallenkoski Rapids (which were entirely on the Finnish side of the frontier). All Finnish attempts to promote trade with Russia and to promote a better understanding in the realms of science and of letters were rebuffed.

When Mr. Molotov was in Berlin during the month of November 1940, he demanded that Russia have a free hand in Finland. The demand was refused by the German Government. It is not surprising that the Finns, who have little sympathy with the Germans—and still less for national socialism—should have felt some relief.

But when Russia was herself invaded on June 22, 1941, she at once resumed her active hostility to Finland. On that same day the Russians bombed the Aaland Islands and attempted to bomb two Finnish warships. On the 23rd Abo (Turka) was bombed by 24 Russian airplanes. The open city of Williamstrand was bombed on the same day—so was the Malm airdrome near Helsinki. The Russian Government was asked for an explanation, but gave no answer.

Finland had herself refrained from any offensive action. On the 24th, the Finnish minister in London assured Mr. Eden that Finland would remain on the defensive. But by the 26th, more than 10 Finnish towns had been bombed by the Russians and had suffered heavy casualties. On that day, the President Risto Ryti, broadcast a declaration that Finland would fight.

The Finns had been utterly exhausted by the previous war with Russia and were in no mood for yet another struggle. But it is clear that they feared that their last chance of survival as an independent nation was disappearing. They decided to fight in self-defense for the second time. They limited their military operations to the recovery of the districts that had been wrested from them in the previous year. They did not take part in the offensive against Leningrad—they deny that their guns have bombarded Leningrad.

Had the course of events been foreseen, it is probable that Finland would have refrained from becoming a belligerent at all. The rapid advance of the Germans relieved the Russian pressure on Finland. Subsequent German reverses increased that pressure once more. Finland is entirely dependent upon Germany for grain and cannot make a separate peace with Russia unless she can replace her imports from Germany by

imports from other countries. All Finns want peace—in this respect there is no difference between Finnish parties—and all would accept peace terms that would allow the Finns to survive as an independent nation. What they fear is that Finland will be occupied by the Red Army, that the elite of the country will be deported to Arctic and Asiatic Russia, just as the elite of the Baltic states, of eastern Poland, and of Bessarabia was, and that the country will then be annexed after a spurious plebiscite as the Baltic states and eastern Poland were. Finland's case has been made the more desperate by the general assumption that Finland was the aggressor and that she is a Fascist country. Insofar as her government is autocratic it was made so in a successful attempt to overcome the Lappe movement which bore a certain resemblance to Italian fascism.

If the words "democratic" and "progressive" mean anything, they apply to modern Finland. She has a unique civilization—her achievement in the realms of music, letters, and architecture—as well as of politics and of economics, is outstanding.

Then the writer quotes Prime Minister Churchill, although he does not say whom he is quoting. However, we all recall that the statement is Mr. Churchill's. The quotation reads as follows:

Finland—superb, nay, sublime. * * *

The service rendered by Finland to mankind is magnificent. * * * We cannot tell what the fate of Finland may be, but no more mournful spectacle could be presented to what is left of civilized mankind than that this splendid northern race should be at last worn down and reduced to servitude worse than death.

That statement was made by Mr. Churchill at the time when Russia first attacked Finland. One of the reasons why I call attention to this matter is that Finland is one of the three countries of the world which paid her debts to the United States of America. I have been in Finland, and I know something of the kind of government which existed there a few years ago, and of the progress Finland was making. Considering her background, she made far greater progress than was made by almost any of the other countries.

Our State Department has said Finland should make peace with Russia. Everyone would like to see Finland get out of the war; everyone would like to see Finland make peace; but everyone in this country, I believe, wishes to see Finland become and remain an independent country. Our people do not want to see Finland diminished and overrun by the Russians; they do not want to see Finland communized; they do not want to see Finland ruled by Germany.

At this time I desire to recall the terms of the peace offer which was made to Finland by Russia. First of all, on March 1 Russia asked that the Finns drive the Germans out of Finland by May 1. According to Hanson Baldwin, there are seven divisions of German troops in northern Finland. Stop and consider whether it would be possible for the small Finnish forces to be able to drive the Germans out by May 1, if they wished to do so. The Russians said that if the Finns did not drive the Germans out of Finland by May 1, they would enter Finland and would help the Finns drive out the Germans. Of course, that would

mean that the Russian Army would enter Finland and would practically take over the country. In view of the Finns' past experiences with Russia, they were very much afraid that once the Russians entered Finland they would never leave.

Furthermore, the Russians asked for the payment of \$600,000,000 in reparations. That sum of money is more than the national income of Finland for 1 year. However, that much money was to be paid over a period of 5 years. The Russians were asking for more than the national income of all of Finland for 1 year, to be paid in 5 years' time. In other words, Mr. President, the conditions which were offered to Finland in connection with the attempt to get her out of the war were impossible.

Mr. President, I think Russia has a great opportunity awaiting her after this war. Unquestionably, she will become one of the most powerful nations in the world. In this country the good feeling toward Russia has grown tremendously in the last few years. But if Russia is going to overrun Finland and take Finland, if she is going to take a big slice of Poland, as has been suggested, and as I have learned from very high authority she is demanding, if she is going to ask for all the Baltics and Balkans and a sphere of influence over Norway and Sweden, then public sentiment in this country will change very rapidly against Russia, after the war, if those are going to be her demands, and if she insists upon them.

On the other hand, if Russia grants to Finland and to the other small countries the rights enumerated under the provisions of article 2 of the Atlantic Charter, and if Russia gives those small countries an opportunity to live, and permits them to have their own kinds of democratic government, then the friendly feeling toward the Russian Government will continue to grow.

However, I certainly feel that our State Department was in error in practically demanding and insisting that the Finnish Government make peace upon the terms which were submitted to her by the Russians. When we consider the history of Finland, our attitude toward Finland, and the attitude presented in this article appearing in the British magazine, *The Nineteenth Century and After*, notwithstanding the fact that Britain has already declared war on Finland, it seems to me that if any newspaper or magazine in this country attempted to take such a position relative to a country with which we were at war, that publication undoubtedly would be suppressed. All this goes to show that, with reference to some matters, there is more freedom of speech and more freedom of the press in England today than there is in this country.

Mr. TAFT. Mr. President, will the Senator yield?

Mr. WHEELER. I yield.

Mr. TAFT. I should like to call the Senator's attention to the fact that about 3 days ago in the New York Times there appeared a statement from a New York Times correspondent in Russia. In that statement the correspondent said that great concern was expressed in certain governmental circles in Russia because

there is in Washington, today, the legation of a nation which is at war with Russia; and the correspondent implied that in some way that fact indicated lack of faith or cooperation with Russia. That attitude seemed to me to be a very extraordinary one, in view of the fact that the Japanese Legation in Moscow is open, and that Russia is in full cooperation, so to speak, with Japan, and recently made a treaty with her which may or may not assist Japan in the battle against the United States.

I merely wished to add to what the Senator from Montana has said some commendation of the State Department for maintaining relations with Finland, and to express the hope that the State Department will continue to do so. It seems to me that when we are assisting Russia with lend-lease arms which may be used against Finland we have a distinct obligation to confer constantly with Russia and with Finland, and to attempt to work out an amicable solution of the problems existing between those two countries.

Mr. WHEELER. Mr. President, I thank the Senator very much indeed. I remember seeing the same article which he read, which stated that there was a country—apparently the reference was to Finland—whose legation in Washington was still open, notwithstanding the fact that she was at war with Russia, and then recalling the fact that the Japanese Embassy in Moscow is still open, pointing out the cordial relations and the trade existing between the Japanese and the Russians, and then calling upon us perhaps to close the Finnish Legation in Washington.

I called attention to this article simply because of the fact that I commend the State Department for its attitude up to this time in not breaking with Finland, and because of my hope that the State Department will continue to recognize Finland, and also will do what the Senator said, namely, try to bring about a relationship between Russia and Finland which will enable Finland to maintain herself as an independent, progressive, democratic country.

Mr. SHIPSTEAD. Mr. President, will the Senator yield?

Mr. WHEELER. I yield.

Mr. SHIPSTEAD. Britain said she went to war to save Poland, but when Germany attacked Poland, Russia entered Poland and took about half of the country. Recently the Prime Minister of Great Britain has been quoted in the debates on the floor of the House of Commons as saying that Russia's claim upon the part of Poland which she took when she divided Poland with Germany is not without reason, and seems to him to be rather just.

Here is Finland. Here are the Balkan countries; and here is eastern Europe. For centuries Poland has been the buffer between the East, Russia, and Germany. The question now is, If Russia is to insist upon borders being revised by war, whether or not the old civilization and culture of Europe shall be saved and allowed to continue? The question is shall Poland, Finland, Norway, be free when the war is over? What about Yugo-

slavia? It is quite well known that Stalin has his agents in the Balkan countries. When he entered Poland he left Russian Communists there to further political propaganda. The question is, shall the independent democratic countries of Finland, Poland, and the Baltic states be allowed to exist, or is the entire European culture to be wiped out?

We have seen in the press lately another instance of agencies which are at work. Through the State Department, Stalin is said to have induced a Catholic priest to obtain passports to go to Russia, ostensibly as an unofficial representative of the Catholic Church. In that position he has been repudiated by proper officials of his Church. He was invited to visit Russia. For what purpose does the Russian Government invite a private citizen to come to Russia and receive whatever information the Russians see fit to give him, unless it is for the purpose of coming back to the United States to carry on propaganda for communism?

It seems to me that we have a great responsibility. We are fighting a war to save democracy. At the same time, are officially to agree to democracy being wiped out in Europe? If we are, are we to assist in establishing a different kind of civilization and culture? Is that what is meant by our war effort? Are we to help destroy the old culture of Europe and establish a new culture from Asia to the Channel and wipe out the old civilization? Certainly the old culture of Europe cannot exist where the culture of the Far East takes its place.

Mr. WHEELER. I thank the Senator. Of course, what he said was true with respect to the claim that England went to war for the independence of Poland. I call attention to the fact that a few weeks ago in this body I read a statement by the same editor, in the same magazine, to the effect that England went to war for the balance of power in Europe and the balance of power alone. He stated that whoever controlled the Middle East, including the Baltic states, the Balkan countries, and Poland controls Europe, and that England could not permit any country, no matter how democratic it might be or how civilized it might be, or whatever its form of government might be, to control and dominate all of Europe, because of the fact that if that should happen, the British Empire could no longer exist.

Mr. SHIPSTEAD. Down through the centuries England has fought many wars with Russia to keep Russia out of the Middle East and out of the Orient. Sometimes she has played with Germany and sometimes she has played with Russia against Germany. Her aim has been to keep both of them out of the Middle East. In this she has succeeded.

That problem will still confront us when this war is over. These are things which we must take into consideration when we come to talk about a peace treaty. If we are to have a real peace treaty, it must be a treaty based upon some kind of understanding which will eliminate the questions which arise under the balance of power. Otherwise permanent peace talk is an idle dream.

Europe is still thinking in terms of the balance of power, a fact which our people seem to have overlooked, according to the debates and speeches which I have heard. That problem still remains and must be solved before we can have a real treaty of peace under which peace can be lasting. This is international politics, called diplomacy. It is nothing but politics. War is an instrument of politics; war is continuation of politics; and if our politics continues to be what it has been, there can be no peace so long as war is an instrument of politics.

ONE HUNDRED AND FIFTY-THIRD ANNIVERSARY OF THE POLISH CONSTITUTION

Mr. HAWKES. Mr. President, many tributes are being paid to Poland today all over the world, for the national holiday of our fighting ally celebrates an event of prime importance to all liberty-loving people everywhere. The Polish Constitution of the 3d of May 1791, ranks with our own Declaration of Independence and with Republican France's Declaration of the Rights of Man, as one of the great democratic events in history.

Liberty flourished and grew strong here in the United States and in France; in Poland liberty was crushed beneath the despotism of the three great autocracies—Prussia, Russia, and Austria—which, at the end of the eighteenth century, feared that the new liberal views expressed in the Polish Constitution would find acceptance in the minds of their own people, so they partitioned Poland and condemned her to 123 years of national extinction.

That Poland survived and rose again after the last war to be one of the most democratic and progressive countries in Europe is surely proof that although the land of a free people may be occupied by an aggressor, nothing can quench the fires of patriotism and the national spirit of an oppressed nation. Now again, after only 20 years of freedom, Poland lies prostrate beneath the heel of German might, and the sacrifices and sufferings of her 35,000,000 people have exceeded those of any other country overrun by Hitler in Europe. But in the short 20 years of freedom vouchsafed her, Poland made really remarkable industrial progress and she did it thanks to the enlightened support, industrial effort, and private enterprise received from the government.

Although foreign capital extended very little help to Poland—she received, I believe, in comparison to her population about 2½ cents for every dollar Germany got—the Polish Government by fostering and directing private enterprise into those channels most likely to bring about national prosperity and a higher standard of living, did remarkably well in transforming her agricultural products into exports easy to ship and easy to store. For instance, the Polish ham quickly won a privileged place on the markets of the world. Their enormous resources in wild game of all sorts enabled the Poles to establish a large canning industry and many people tasted a partridge for the first time out of a Polish

can. The finest crayfish eaten in Paris restaurants came from Polish streams. Their cheeses and milk products were remarkable. Their lumber trade grew, they exported furniture. When it came to finding markets abroad and to adapting their products to the taste of foreign purchasers, the Poles set a great example to other nations. That is why in common with many friends of Poland, I look forward with the utmost confidence to the day when Victory has crowned the Allied arms and peace again reigns in Europe. Poland will be one of the first countries to recover, even though as we all know, she has been the one that has suffered most. The Poles are a brave and hardy race. They will make good, and after this war the United Nations, and especially the United States and Great Britain will, I hope, furnish Poland with proper credits and tools of peace, to enable her to restore prosperity and bring well-deserved happiness to the nation which was first to resist unjustified intrusion upon her rights by the Germans. Poland deserves well of America and of all mankind because in my opinion, she has today the respect and admiration of all liberty-loving people throughout the world.

Mr. FERGUSON. Mr. President, we have in Michigan many citizens and residents of Polish extraction, as has every other State in the Union. It is but fitting that today I say a few words in the Senate Chamber on this, the one hundred and fifty-third anniversary of the signing of the Polish Constitution. Its signing followed so closely the signing and taking effect of our Constitution that they both were bold strokes for freedom and self-government by liberty loving people at a critical period in world history.

We have been more fortunate than Poland, but we have found that eternal vigilance has been the price of our liberty. And this will always be true. The people of Poland have found that because of their geographical location, eternal vigilance alone has not been sufficient to maintain their freedom.

While Poland was struggling for her own freedom, her people were willing to cooperate with other nations who had the same desires and a similar outlook. This accounts for the fact that two great national heroes of Poland came to our shores during the Revolution and fought with our soldiers in our struggle for freedom. Count Pulaski gave his life at Savannah in the cause of American liberty. Thaddeus Kosciuszko lived through the Revolution to return to Poland, where he assumed a leading part in the endless struggle of its brave people for the sacred rights of self-government.

Two years after the signing of its constitution Poland, as a geographical entity, disappeared from the map of Europe, through partition of its territory by Russia, Prussia, and Austria. From that time until the end of the First World War, the story of Poland was one of bitter struggle for the survival of its people and the preservation of its nationality, without ever being recognized by the

nations of Europe as an independent state.

Following World War No. 1 the frontiers of Poland were established; the eastern frontier was determined by the Treaty of Riga in 1921, which evidenced the end of the Polish-Russian War. Lenin, then dictator of Russia, described this treaty as "a voluntary and just agreement to stand for all time." The Polish frontiers, after that time, were recognized by the League of Nations and by every other country.

When on September 1, 1939, Hitler's hordes rolled across the Polish frontier at 14 different points, Poland felt the full power of the Nazi blitz, but continued to fight back against insuperable odds until October 5, when defeat at the battle of Kock put an end to her valiant struggle.

Since then the Polish Government has continued to function in exile, and the courageous underground has striven not only to organize and carry on a patriotic resistance against the enemy within her borders, but also to maintain and perpetuate Polish state authorities, departments, and institutions.

Strong and effective Polish units right now are bravely fighting side by side with the soldiers of the United Nations. Polish divisions fought in France and Norway before those countries were subdued. There is a Polish Army in England and another one in the Middle East. The Polish Air Force participated in the Battle of Britain and destroyed at least 195 enemy machines in that battle. Polish sailors helped in the evacuation of Dunkerque and in the sinking of the *Bismarck*. They have to their credit the destruction of a number of Nazi U-boats. Suffering Poland is carrying its full share of the burden of battle, and the ever-increasing opposition against the ruthless aggressor.

The struggle of Poland against Prussia and German aggression has continued for almost a thousand years. The earliest recorded Polish history recounts that in the year 963, German warriors invaded her soil. From that day to this, with a few intervening periods of peace, this brave nation has faced a hopeless struggle against Prussia, often aided by Russia and Austria as well.

Through that millenium of time, the Polish people have retained their racial identity, their love of liberty, and their determination to be free in the family of free nations.

Though Poland was devastated by invaders in the First World War, she made great progress during the 20 years preceding the present war, in reconstruction, in industry, in agriculture, in education, and in cultural life.

Today, in the midst of unparalleled suffering, death and destruction, the Polish people look forward, with courage, faith, and confidence, to the day now not far distant when the invader will be driven from their land and Poland will rise again, reestablishing their government upon the principles of morality, democracy, and international collaboration. Poland claims to have been the first real democracy in Europe. She stands ready now, with determination and set purpose, to do her full share in the restoration and perpetuation of the democratic form of government.

It is fitting today that we here in the Senate salute Poland on this, the one hundred and fifty-third anniversary of the signing of her constitution.

Mr. President, the Atlantic Charter must be more than mere words if Poland, as well as the other small nations of the world, are to become free. We must see to it that the Atlantic Charter and the principles of freedom become for the small nations realities rather than mere words. I know that those who today stand on the Senate floor and speak in behalf of Poland mean that our whole Government should get back of the Atlantic Charter insofar as it stands for the freedom of small nations and the liberty of all their people.

Mr. WHERRY. Mr. President, on May 3, 1791, the Polish Constitution was adopted by the people of Poland, and since that time the anniversary of that date has been celebrated annually by the Polish people as their greatest national holiday.

A substantial part of the population of Nebraska is Polish, and in all sections of the State our Polish people will celebrate this holiday.

It is most unfortunate that the people of Poland will not be permitted to celebrate the one hundred and fifty-third anniversary of the enactment of the Polish Constitution in a normal way, but there will be those throughout the world who have an abiding faith in the Polish people and their constitution and who will in their own hearts commend the Poles for their loyalty and patriotism.

I should like to be numbered among those who have that sympathetic feeling for the Polish people.

Poland's contribution to the war effort of the United Nations has been outstanding. Her faithfulness to the ideals of freedom and justice is valued in terms of highest praise. As the United Nations fight on toward a total victory, may we use not merely idle words, but may we act to keep faith with Poland's dead and with the ideals of freedom and justice for which her people stand.

Mr. REVERCOMB. Mr. President I am glad today to join with my colleagues in paying tribute to the Polish Nation and the Polish people. So many of their descendants live among us, so many of them have become stalwart and fine American citizens that I think it is entirely proper that we should pause here today to pay tribute to them and to their forebears. As has been stated, on the 3d day of May 1791, the then Kingdom of Poland adopted its constitution. That was only a few years after the adoption of the Constitution of the United States. I doubt if any country under any government has had the experience the people of Poland have endured through the years that have passed. Their history is replete with war and oppression and also with courage and success on their part. Time after time the enemy has attempted to blot them out, and time after time they have arisen, achieved victory, and reestablished their Nation.

They have given to the world so much, not only in examples of courage and strength on the part of their people, but they have given us culture, music, literature, art, and all those things that go to

make man's life better and that raise him above the brute kingdom.

Today Poland is again a great battleground. It is a battleground in which we are very much interested; and I express the hope which is in my heart and which I feel is in the hearts of all Americans on this anniversary, that the day is near at hand when Poland will rise again to be a free and strong nation and that she will continue to take her part, a glorious part, in the affairs of the world and mankind.

Mr. BUCK. Mr. President, in 1939 Poland fell because she valued liberty and honor more than life under foreign rule.

The attention of the people of this Nation is directed to the fact that on this date 153 years ago the people of Poland, by constitution signed on May 3, 1791, accepted the principles which guaranteed freedom and individual rights to all her citizens. The liberum veto and all the intricate and obstructive machinery of the anomalous old system were forever abolished. All invidious class distinctions were forever done away with.

On that great day the new constitution gave the people of Poland full administrative and judicial autonomy as well as parliamentary representation and personal privileges of the gentry, such as possession of land and access to office in the state, were open to all townsmen. Furthermore, on that famous date absolute religious toleration was established.

Poland was the first country in Europe to fight in the present war and to arouse the democratic world from its apathy and stupor. Freemen of the United Nations are today fighting and dying all over the world so that the peoples of conquered nations may be restored to representative government and freedom of worship. The commendable record of the Polish-American citizen is one of which America is proud.

There are 560 parochial schools with 276,286 pupils and 5,395 teachers maintained by this group in the United States. There are three Polish colleges supported by these citizens. A great deal of this educational accomplishment has been promoted by the Kosciuszko Foundation established in December 1925 by a group of public-spirited Polish-Americans. The purpose of the foundation is a living memorial to Thaddeus Kosciuszko, a name which made American history during the Revolutionary War.

In these critical times, when not only Poland but the whole world is fighting against the dark forces of oppression and totalitarianism, it is fitting that the 3d of May be commemorated by us in the United States.

Mr. VANDENBERG. Mr. President, I have been greatly interested in these eloquent speeches about Poland on this important Polish anniversary. My own view is well known. Four weeks ago I spoke at length upon the subject and the text is in the CONGRESSIONAL RECORD. I said that if hope for Poland ever dies, hope for all continental democracy will lie in the same grave. Suffice it for today to add that the cause of Poland—typifying the fate of other small nations—needs something more than anniversary speeches on the Senate floor. It needs constant, relentless sponsorship

and fealty in high place. It needs them at Casablanca, and Quebec, and Moscow, and at Teheran, and at other supreme conferences yet to come.

I agree with our State Department that none of us can safely pause in this war to settle post-war boundary lines and that it were better if such controversy were postponed until we have earned the common victory which gives all of us the right to speak. But I also assert that this self-denying ordinance should not be confined to our own United States alone; that we are not required to be the only "silent partner" in these perilous themes; and that when adverse, unilateral declarations upon these subjects are made by others we should never by our official silence seem to consent that we, too, may have forgotten that the United Nations are pledged—

First. To seek no aggrandizement, territorial or otherwise;

Second. To seek no territorial changes which do not accord with the freely expressed wishes of the people concerned; and

Third. To respect the rights of all peoples to choose the form of government under which they will live, and to see sovereign rights and self-government restored to those who have been forcibly deprived of them.

No, Mr. President; friendly anniversary orations here in the Senate are not enough. While none among us dares make specific promises for the pattern of the post-war world when hard realities shall have been resolved in the light of undisclosed circumstance, yet we can cling tenaciously to this pattern to which our war aims and our peace hopes are dedicated and we can expect our high leadership to unfailingly reassert this pattern whenever it seems to be assailed. If and when silence is broken in another capital, it is no longer enjoined upon our own. Peace opinions do not reside on a one-way street. Except as we faithfully preserve the ideal now, there is small hope for the reality hereafter. I commend this comment to all concerned before it is too late.

Sacrificial Poland has earned this consideration. Poland has paid for it in blood and sweat and tears. This World War No. 2 started in defense of the free Polish Republic. It would be a travesty if it should end in any other destiny.

TRAGEDIES OF WAR—FAILURES ON THE HOME FRONT

Mr. HATCH. Mr. President, I ask the attention of Senators for only a few moments today while I read an article recently published in Time magazine. The article was not written for publication. It was written by a young Navy doctor who, it happens, came from my State, and who I have known practically all his life.

This is one of the most graphic descriptions I have read anywhere of what Time says is "one of the thousands of throat-tightening epilogues that follow the thundering drama of battle."

Everything in the article is real except the name. It was published by Time magazine exactly as written, except that—and I presume for lack of space—

some few sentences were omitted. I choose today to read the article exactly as it was written, and I shall also read the letter written by the young surgeon to his sister, whom I have also known for a number of years. This is the descriptive article he sent to his sister:

Here is a farewell I remember. The names aren't real, the place and time somewhere in the memory of a few people.

It was 3 days after the major part of the battle had ended and we were out a few miles from the island patrolling our little sector of ocean, swinging back and forth in huge figures of eight. The noise and colors of battle were gone. The bombing had ceased and the big guns on the ships were silent. Now there was only a little smoke on the island and though we could see occasional puffs from the guns of the one destroyer which was still firing, the sound didn't carry to us. It was altogether quiet. The sun was shining; the sky was a clear blue and even the water was so still that there were only ripples, like it is on a lake at home on a quiet day.

Most of the men not on watch were sprawled around topside trying to relax and cool off in the little breeze the ship's movement made. A few of us were standing by the rail gazing into space and thinking our own thoughts when someone called attention to some objects in the water. We began to watch them.

There were three of them, a hundred yards or more apart, and as we came closer we could see that they were men and that they were dead. They were bobbing up and down in the water with their arms stretched out ridiculously straight and stiff. We could see a V of white undershirt at their neck and the ripples breaking over the toes of their brogans.

The order came down from the bridge to lower away the boat, go to them, determine their identity and, if they were ours, to bring them back to the ship.

They were so horribly bloated and discolored that even their race was indeterminate but the uniform was that of our own men. When we tried to take hold of their arms and legs and lift them up and over into the boat, the skin would slip away in our hands. One of our boys was sick from the odor.

As we got each one in the boat we'd empty his pockets and search for identification. One was named Thomas. He had a canteen on his belt and a map in his pocket, both with that name on it—John Thomas. Wilson, H. W., had an identification tag around his neck. He also had a billfold with a picture of a girl, some foreign coins, a wrist watch, and a bottle opener. The third had a knife and some coins in his pocket, but there was no name. If he ever had an identification tag around his neck, it would have been gone. He had no head or neck. He was, and would continue to be, an unknown—a nobody at all. We put them, one on the other, in the bottom of the boat, covered them with a canvas and started back. It was a long ride back.

Perhaps I should have felt more emotions than I did riding back with them in that boat—a fierce anger at the thing which allows nations and peoples to do this to each other; an urgent personal desire for retaliation; bitterness because they had given their all and reaped this, while some of their more cunning but less conscientious brethren at home were giving nothing and reaping all; horror because of the added indignities they had suffered even after death; sorrow for their parents, for their girls, and for the many people who must grieve and forget as best they can. If I did feel any one of these, I put it aside as being relatively unimportant. These were brave men and they were dead. Bravery and death were linked together in a natural and inevitable sequence. It seemed as simple as that.

We brought them aboard and began preparing them for a proper burial at sea. The men were crowded around in close, curious bunches. They were quiet for once and there was a queer, hard look on their faces.

Each was wrapped in a heavy canvas—it was green, I remember—and weighted with heavy shells from our big guns so that they would stay decently buried. Then the captain came down from the bridge and the ceremony began.

What would you have said, Thomas or Wilson, or nobody at all, had you the words? What reason for being here? What regrets? I think I know. I think the words were said for us long ago in a language simpler than you or I could choose. I will say them for you.

"Here dead lie we because we did not choose To live and shame the land from which sprung.

Life, to be sure, is nothing much to loose; But young men think it is, and we were young."

A simple reason. A single profound regret. That's right, isn't it?

I heard the last words of the ritual . . . "we therefore commit these bodies to the deep, to be turned into corruption, looking for the resurrection of the body, when the sea shall give up her dead."

The stretchers tilted. The flags fell away. There were three dull splashes in the water. So we bade them a long farewell.

Mr. President, that concludes the descriptive article which was sent by this young doctor to his sister.

Now, I shall read the personal letter which he wrote to his sister, and again I read word for word, even at the risk, Mr. President, of giving offense to some of my colleagues in the Senate, but I am sure no offense will be taken by any Member of this body when it is realized that the words this young man wrote to his sister came from one who had observed first hand some of the terrible tragedies of war, and who has thought long and deeply of things about which he has written so freely and frankly and, may I add, eloquently and movingly. This is what the young man wrote to his sister:

I am enclosing my version of an incident which occurred sometime ago. It is my personal reaction to the few hours during which the incident took place, the kind of grief I felt, the emotions I did not feel. I do not intend for it to give the idea that I have not felt such things but rather that when the chips are down they do become unimportant.

Still, to those of us who were not so unfortunate as Thomas or Wilson, those same emotions I could not feel at the time later take on an added significance, too often a bitter significance, because so many of the things we hear from home make all this seem so hopelessly fruitless, so terribly futile.

I wish there were words adequate enough to explain how deeply most of us feel about being out here; how much it means to us to win completely and unequivocally so that our sons and our son's sons, and those of our enemy as well, need not know this again; how much it hurts to be forced to the realization that so many of our hopes are empty.

I wish there were words adequate enough to explain the bitterness, the scorn, the unrest, and the lack of faith most of us have for so many things at home: for the ineffective, fumbling legislature; for all the political devices and stratagems which are so obviously for the gain and glory of a few politicians though clothed in the sanctity of the words, "for the men in the service"; how bitterly we resent the strikes (there is only one question we can ask in regard to them, How would it be with the folks at home if

we did what they are doing; how would it be with them if we let them down as they are letting us down? Sure, we know we're getting nearly all the supplies we need now, that things are going along better, but how can we be 100 percent for something that they're only 75 percent behind at home?); how we must feel about the stupid racial prejudices that are fostered and festered by some of our great democratic Senators while many of the same races they so denounce are out here risking their necks to give those same Senators the right to go on fostering their hatred. (A typical item in this morning's paper: "Senator —, addressing the State legislature Wednesday, urged the South to uphold racial integrity and renew our faith and allegiance to the color line." What a sordid story lies behind that. What a travesty of the word "democracy"!); how we feel to have even our right to vote fashioned into a political football (Is this merely a tragicomedy we're taking part in? It would seem so. As a point of interest, I've never seen a MacArthur button, a Willkie button, a Roosevelt button, or any other button or political device of any kind. They seem to be worried about that); how much we scorn the little crumbs that are thrown our way, such as the \$300 mustering-out pay and all such meaningless tommyrot.

The thing that is important to us is to first win the war and then to set about rehabilitating not only ourselves but the people in India and China and Japan and Germany so that we can live together and call each other friends. It seems to me that that is what we set out to do and even though few of us ever expected to attain that much, it is bitter knowledge indeed to see how infinitely little we are likely to attain at all.

The plain and simple truth is, I'm afraid that we as a people have not yet grown big enough, tolerant enough, wise enough, nor just enough to manage our own affairs with honor and justice, let alone those of the world. We are still trying to delude ourselves with the idea that we are a democracy instead of accepting the truth that we are not and planning ways and means of becoming one some day.

Still, had Thomas or Wilson or I or any of us the same choice to make again, knowing all this, we could not change our decision. We may be denied and shamed by the things which happen at home but we cannot shame ourselves by denying the things we personally believe in.

There the article in Time stops. I read the rest of the letter:

All of which makes me a hell of an idealist and perhaps a damn fool—but that's how it is. Next time I'll be more cheerful. Once in a while I have to unload on someone and this time you're stuck.

Should get in port tomorrow. Hope there will be lots of mail. Will write again later.

Then he adds this postscript:

P. S.—I think I should add, in fairness, that we know that a great many good things are being done, or are being attempted, for us, that many of the things we think are foolish are well meant, that the majority of the people want the same things we want just as badly as we want them. But even that knowledge doesn't help much sometimes.

SETTLEMENT OF CLAIMS ARISING FROM TERMINATED WAR CONTRACTS

The Senate resumed the consideration of the bill (S. 1718) to provide for the settlement of claims arising from terminated war contracts, and for other purposes.

Mr. TUNNELL obtained the floor.

Mr. KILGORE. Mr. President, will the Senator from Delaware yield to me?

Mr. TUNNELL. I yield.

Mr. KILGORE. With reference to Senate bill 1718, let me say that I understand an effort to dispose of the bill possibly may be made today. At this time I desire to move the postponement of consideration of the bill, and that it be set down for consideration on a day certain, namely, next Wednesday, so as to afford opportunity to study the bill and the amendments. In support of my motion, I should like to have my remarks extended by having printed in the RECORD a letter which I know every Member of the Senate has received. The letter was issued jointly by the American Federation of Labor, the Congress of Industrial Organizations, and the Railway Labor Executives Association.

I ask unanimous consent that the letter may be printed in the RECORD at this point.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

WASHINGTON, D. C., May 1, 1944.

HON. HARRY TRUMAN,
United States Senate,
Washington, D. C.

MY DEAR SENATOR: The American Federation of Labor, the Congress of Industrial Organizations, and the Railway Labor Executives Association join together to state clearly and unmistakably their position on the reconversion and contract-termination bills before you. The organizations we represent—12,000,000 active members and 3,000,000 members in the armed services—are unalterably opposed to the passage of any piecemeal legislation to handle the problems of reconversion, with priority given to property legislation. Every consideration of equity and sound economics demands a single integrated piece of legislation which will take care of the human problems of demobilization at the same time that it provides for the security of business enterprise.

We especially regret the voting out at this time by the Senate Military Affairs Committee of the Murray-George contract-termination bill (S. 1718), divorced from legislation dealing with the human side of demobilization, and without any adequate hearings on so serious a problem. Emergency unemployment compensation for demobilized workers and servicemen in the reconversion period is an indispensable part of any over-all legislation and should not be sidetracked to another committee for separate consideration. There is great danger that contract-termination legislation will be passed and the Congress adjourn before any comprehensive legislation is considered to deal adequately with the more pressing human and organizational problems of reconversion. You will agree that every contract terminated means the discharge of workers. Certainly, provision for these workers whose resources must be conserved and fully utilized is at least as important as settling the financial claims of war contractors. We regard this as one of the major legislative issues before the Seventy-eighth Congress.

We wish to stress again, as we have pointed out in our public testimony, that the preponderance of war contractors are in a sufficiently strong position to weather the period of reconversion to peacetime production. The reserves of American industry have never been as high as they are today. American workers, on the contrary, enjoy no such favorable position. When contracts are terminated, the soldiers of production face bleak prospects.

These are essential truths. They become more forcible every day as war-production employment tapers off. The confidence and the

full-spirited effort of American workers in military service and in war industries will suffer a severe blow in the midst of war if they feel that their legislators put money settlements of war contracts above and beyond the claims of human beings.

We are united in urging the following programs:

1. There must be no piecemeal legislation such as contract-termination legislation alone. An integrated program of reconversion offers the only means of preventing the chaos that may overwhelm us on the production front in a short time.

2. We stand fully behind the principles of the Kilgore bill, Senate bill 1823, which provides an integrated attack on the problems of reconversion. We urge that the Murray-George bill, S. 1718, be amended to include the Kilgore bill, S. 1823, thus providing a well-rounded program.

3. Such a program must include, in line with War Mobilization Director Byrnes' proposal, special unemployment compensation benefits in the transition period to take care of unemployed workers as well as discharged servicemen.

4. An orderly program for reconversion to civilian production is necessary to achieve maximum production and employment during the reconversion period. Establish an office of war mobilization and adjustment to coordinate all Federal activities during the reconversion period.

5. We favor creation of a national production-employment board, consisting of representatives of industry, labor, agriculture, and the general public, to form an integral part of the office of war mobilization and adjustment.

6. Establish a bureau of programs to review and develop Government programs dealing with reconversion and production, and to encourage the development of private and local programs for increased production and unemployment.

7. Provide adequate protection for, and incentives to, small business in reconverting to peace.

We believe these to be the minimum essentials of a full program which labor can support. Any piecemeal attack on these problems, any effort to put one part of the program ahead of another, will fall far short of what is needed. It will be a severe blow to our economy. It will bring untold hardships to millions of Americans working in war industries and fighting to bring the war to a speedy victory.

Sincerely yours,

WILLIAM GREEN,
President, American Federation of Labor.

PHILIP MURRAY,
President, Congress of Industrial Organizations.

JULIUS LUHRSEN,
Executive Secretary, Railway Labor Executives Association.

Mr. KILGORE. Mr. President, my purpose in moving for postponement until next Wednesday of consideration of the pending bill is in order to provide an opportunity to study the bill and to be sure that the necessary and requisite amendments to it are made.

Mr. GEORGE. Madam President—The PRESIDING OFFICER (Mrs. CARAWAY in the chair). The Senator from Delaware [Mr. TUNNELL] has the floor.

Mr. GEORGE. Is the Chair entertaining the motion?

The PRESIDING OFFICER. The motion is in order, under rule 22.

Mr. GEORGE. I suggest the absence of a quorum.

Mr. TUNNELL. Madam President, I refuse to yield for that purpose at this time.

The PRESIDING OFFICER. The Senator from Delaware declines to yield.

ONE HUNDRED AND FIFTY-THIRD ANNIVERSARY OF POLISH CONSTITUTION

Mr. TUNNELL. Madam President, the discussion which has taken place today with reference to Poland is a matter of a considerable importance, and one which is of interest, not only to Poland, but to the entire world. Recently, I received from the Polish National Alliance, of Wilmington, Del., a letter which is clothed in such language that I think it should be read at this time. It reads as follows:

POLISH NATIONAL ALLIANCE,
GROUP No. 431,
Wilmington, Del., April 27, 1944.
The Honorable JAMES M. TUNNELL,
The United States Senate,
Washington, D. C.

DEAR SIR: In 1939, Poland fell because she valued liberty and honor more than life under foreign rule.

In 1791 Poland was partitioned because she would not surrender to the dictates of the three absolute powers, but in opposition to them, by the constitution of the 3d of May, accepted the principles which guaranteed freedom and individual rights to all her citizens. Poland was also the first country in Europe to fight in the present war and to arouse the democratic world from its apathy and stupor. The Poles, always ready to support the democratic cause, were again the first to stand against the enemy of freedom. Again, they followed their motto: "For your freedom and for ours."

In these critical times, when not only Poland but the whole world is fighting against the dark forces of oppression and totalitarianism, it is fitting that the date of the 3d of May be commemorated by us in the United States. It is our duty as Americans to remember an ally who, though faced with insurmountable obstacles, would rather die than surrender. The constitution of the 3d of May is another monument that testifies to the democratic spirit of Poland.

Very truly yours,

TEOFIL WISNIEWSKI, President.
W. MADEY, Secretary.

Madam President, I was interested in the statement made by the Senator from Michigan. What he said is absolutely true. It is not enough for us to deliver orations one day in the year for the benefit of Poland. However, I do not think that is all we are doing. I think the fight is one for democratic principles. In the Atlantic Charter, I notice the following provision:

3. They respect the right of all peoples to choose the form of government under which they will live, and they wish to see sovereign rights and self-government restored to those who have been forcibly deprived of them.

So, Madam President, the fight for democracy which is being waged throughout the world on the part of America, as well as on the part of the other United Nations, is a fight for Poland, and it is something in addition to orations. The 11,000,000 men and women who at this time are in the armed forces of the United States and their efforts are in addition to orations. The tremendous effort which is being made in America, by which our Navy has been increased from an in-

significant one to the greatest Navy the world ever saw, is something in addition to orations. The fight which is being conducted on the various battlefields of the world is not a matter of orations. The 10,000 airplanes we are building each month are not orations, they are an effort to aid in the cause of democracy. All those things show, so it appears to many of us, an effort on the part of those who are interested in democracy, whether that democracy exists in Poland or in the United States of America, and all those efforts are aiding in the fight in which we are engaged, which is referred to as a fight for democracy.

If democracy is successful, Poland will receive her rights; she will be granted her right to govern herself. If democracy is not successful, neither the people of the United States nor the people of Poland will be permitted to govern themselves.

So there is in the world today, on this one hundred and fifty-third anniversary of the adoption of the Polish Constitution, the greatest effort which has been made at any period in the world's history to sustain the principles for which those people are fighting and for which we are fighting.

I yield the floor.

Mr. BROOKS. Madam President, the 3d of May is a day of memory in the hearts of countless citizens of the United States of America, as well as in the hearts of other people of Polish extraction who reside throughout the world. It is a day of memory that all Americans appreciate and understand, for it commemorates the adoption of a constitution of a nation desiring to be free and to extend the privileges of freedom to common men.

In the hearts of all Americans there is genuine admiration for the celebration of this day by those of our citizens who remember the celebration in Poland of May 3 as a national holiday.

The spirit of Poland and her desire to be free will never die. As a nation she was partitioned three times, and was divided among greedy neighbors; and for more than a century and a quarter she ceased to exist as a nation. But she arose again.

When Poland was reestablished after the last World War, under the terms of the Versailles Treaty, Poland did not become a new nation, but there was merely the restoration of a very old country with new hopes and new ambitions, based on old traditions. Her progress in the spiritual, educational, and material benefits to her people and their contribution to democratic procedures and freedom during the more than 20 years of her subsequent independent existence was exemplified when she rose as the first nation to bare her breast to the steel and stand her ground against the despotic arrogance and military force of the German hordes under Adolf Hitler.

Her contribution to the cause of liberty in the world rose to new heights in those terrific days when she stood alone against the hordes that have finally engulfed in war the liberty-loving people of the world. Poland's contribution at the front and by her underground defiance will always

command the admiration of free people everywhere. I join these millions as they celebrate the historic adoption of their constitution in 1791, and I join in their supreme desire that when this war shall end and freedom shall be reestablished, their historic and noble contribution will be recognized, and they again will be established as a free country dedicated to the further march of human liberty.

Mr. WEEKS. Madam President, in the course of the years, to this great melting pot which is the United States, many peoples from many lands have come to make this Nation great. The citizenry of Massachusetts is no exception to this rule. During the course of the years our people have come from all over the civilized world. In our body politic in Massachusetts are several hundred thousand Americans of Polish descent, and today they pause in reverence and affection to recall an anniversary which means much to them and to all who believe in freedom and democratic institutions.

On the 3d of May 1791 the Kingdom of Poland, already reduced by the tripartite partitions, unanimously adopted a new constitution which provided for liberty and equal rights for all men.

In these critical days, when not only Poland but the whole world is fighting against the dark forces of oppression and totalitarianism, it is fitting that this date be commemorated by us in the United States. The Poles, always ready to support the democratic cause, were again the first to stand against the enemy of freedom. Again they followed their motto, "For your freedom and for ours."

Madam President, I am happy today, on behalf not only of Massachusetts citizens of Polish descent but on behalf of the Commonwealth and all its citizens, to join in the tribute being paid this day to this vitally important anniversary.

Mr. MILLIKIN. Madam President, under date of April 13, 1944, I received a letter from Mrs. Mary Socha, Andrew Socha, and Ignatz Waski, of Walsenburg, Colo. I should like to read that letter to the Senate.

WALSUMBURG, COLO., April 13, 1944.
Senator EUGENE D. MILLIKIN,
Washington, D. C.

DEAR SENATOR: We, as citizens of these United States of America and members of the Polish National Alliance, Council No. 5, call your attention to the following:

On the 3d of May 1791, the Kingdom of Poland, already reduced by the tripartite partitions, unanimously adopted a new constitution, which provided for liberty and equal rights for all men.

What other nations and people did with bloodshed, Poland with her long tradition of tolerance, accomplished by peaceful means.

In these critical times, when not only Poland, but the whole world is fighting against the dark forces of oppression and totalitarianism, it is fitting that this date be commemorated by us in the United States.

The Poles, always ready to support the democratic cause, were again the first to stand against the enemy of freedom. Again they followed their motto "For your freedom and for ours."

It is our duty as Americans to remember an ally who, though faced with insurmountable obstacles would rather die than surrender.

The constitution of the 3d of May is another monument that testifies to the democratic spirit of Poland.

Respectfully submitted.

Mrs. MARY SOCHA.
ANDREW SOCHA.
IGNATZ WASKI.

Madam President, I feel privileged in having the opportunity to read this letter to my colleagues, and to associate myself with its sentiments.

FLOOD CONTROL AND NAVIGATION IMPROVEMENTS IN SOUTH CAROLINA

Mr. MAYBANK. Madam President, yesterday I introduced a bill in the Senate and stated that I expected to discuss it later in the day; but because of the fact that the agricultural bill was before the Senate, and because I was hopeful that we could complete action on the bill as soon as possible in the interest of the farmers throughout America, I further stated that I would discuss the bill today.

At this time I desire to call attention to the bill introduced to provide for the construction, maintenance, and operation of flood-control and navigation improvements, including dams, reservoirs, and allied structures, in the basins of certain rivers in the State of South Carolina and the basin of the Pee Dee River, and for the disposition of surplus electric energy generated by the Federal flood-control and navigation improvements in the basins of such rivers.

First, let me say that it is not my desire at the present time to ask for hearings on the bill for the reason that the bill concerns the post-war development of the rivers in South Carolina, as approved by the Army engineers, the Federal Power Commission, and the Bureau of the Budget.

Our people, of course, do not expect any developments that would use any critical materials or manpower until the war is ended and the situation concerning critical materials and manpower is cleared up.

The interest of the people of South Carolina is in winning the war and in the return of those brave Carolinians who are fighting for democracy throughout the world. Those at home are doing their best to aid in every way possible on the home front so that the success of the armed forces may not be delayed.

Madam President, the substance of the bill calls for the development of these rivers by the Army engineers, who have so ably developed the intercoastal waterways and who have so ably built and supervised the construction of many airports, camps, cantonments, and hospitals throughout the United States, some of them within the borders of South Carolina. The question as to whether the Army engineers themselves will eventually do the construction work or whether they will have it done by contract is a matter to be determined. The navigation and flood-control features must be and should be totally supervised by the Army engineers and approved by the Federal Power Commission, according to law. The generation of electric power and the sale of the power must,

of course, be determined by the Federal Power Commission, according to law. It has been suggested in the bill that the disposal of the power be under the Department of the Interior.

No doubt, after public hearings, this section will of necessity have to be amended. The amendments which should be adopted will depend upon the public boards that may be created by the laws of the State of South Carolina, in keeping with whatever jurisdiction may be given these public bodies by State law.

At the present time in South Carolina we have rural electrification cooperators in nearly every section.

We have spent millions of dollars since 1932 on this program, and an excellent job has been done, but in my opinion, the program is only in its infancy, and when peace returns no doubt the extension of these lines will reach every area of South Carolina. It is, therefore, my hope that every farm home and every rural building will at least have the opportunity of having electricity. This organization will, of course, be a large consumer of the power to be generated and should be given every consideration in the purchase of power.

Another important public power body in South Carolina is the South Carolina Public Service Authority. However, the jurisdiction of this Authority is limited by State law. Naturally, it should have authority over the power to be generated within the limitation of the State law, according to our State statutes.

Outside the jurisdiction of this Authority several dams are contemplated in the upper section of South Carolina, and I am hopeful that by State law there can be created public bodies which can negotiate with the Interior Department for the use—that is, the sale and distribution—of the electricity on the terms that may be enacted into South Carolina laws.

For many years consideration and thought have been given to the proper creation of these power authorities.

We know in the creation of these authorities it is necessary that they be so constituted as to have a uniform rate of electricity so that one will not cripple the other.

There is one other question that must be considered, and that is the question of taxation. No specific section is devoted exclusively to this problem for the reason that I would prefer the representatives of the sovereign State itself, after hearings, to suggest the best method. It may be that the State would expect a certain refund to each of the counties affected by the removal of taxable property that would be used for the developments. Or perhaps it may be determined that a certain generation tax or sales tax on the power generated would take care of the situation for the various political subdivisions. It is essential, of course, that school districts and other necessary government functions of the State shall not be deprived of their necessary revenue to operate and shall be fully protected.

Madam President, many years ago the first section of this development, costing approximately \$50,000,000, was approved by the Congress of the United States. The loan was obtained through the Interior Department, under the Public Works Program, by former Senator Byrnes, and the project developed has literally been a lifesaver for the industries in the immediate area. It was my pleasure at that time to serve as chairman, and well do I know the fight we had through the courts and through the legislature to make possible the realization of the project. Today, Madam President, I am aware that it will be several years before the rivers are completely developed, but I am just as certain that this will eventually be done as I am that the sun will rise tomorrow.

I know it will be a long, hard, up-hill fight, because all those who are opposed to public ownership of power will be most violent against those of us favoring the development of our State. However, Madam President, when the project is completed, South Carolina will again return to the prominence in business and in industry that it once held. The development will bring industry to our State; it will give worth-while jobs to the returning members of the armed forces, and will materially improve our agricultural productivity. It will make every man's home within our borders a better place in which to live.

In conclusion, it shall be my desire to have this project approved, and to have this bill enacted with proper amendments, after extending public hearings.

This bill is in no way intended to affect, and will not affect, the Savannah River or any of its tributaries on which the Clarks Hill development has already been approved, and which development I have supported, and always shall support, as the cheapest and best production power project in the entire Southeast.

Neither does it interfere with the present operation of the South Carolina Public Service Authority.

On yesterday the Senator from Louisiana [Mr. OVERTON], the distinguished chairman of the subcommittee of the Commerce Committee, requested that the report on the Santee River by the Chief of the Army engineers be printed as a Senate document. I ask unanimous consent that at this point in the RECORD there be printed as a part of my remarks the report and a memorandum from the Federal Power Commission, together with a letter from the Bureau of the Budget.

There being no objection, the report, memorandum, and letter were ordered to be printed in the RECORD, as follows:

FEDERAL POWER COMMISSION,
Washington, D. C., April 11, 1944.
Maj. Gen. E. REYBOLD,
Chief of Engineers,
War Department, Washington, D. C.

DEAR GENERAL REYBOLD: This is in response to your letter dated December 17, 1943, transmitting the reports of the division engineer and of the Board of Engineers for Rivers and Harbors on the Santee and Congaree Rivers, N. C. and S. C., and requesting the comments of the Commission with respect to these reports.

The Board recommends a general plan for the improvement of the Santee, Congaree, and Broad Rivers in the interests of navigation and power development, and for other purposes, including recreation and incidental flood control. The general plan includes dam and reservoir projects, all with power, at the Clinchfield, Greater Lockhart, Blairs, Frost Shoals, Columbia, and Buckingham Landing sites. The total estimated cost of these improvements is \$163,250,000. On the average, the annual generation of electric energy at these projects would aggregate about one and a half billion kilowatt-hours at an average cost of about 4¼ mills per kilowatt-hour.

As a first step in the improvement of these rivers the Board recommends the construction of the Blairs, Frost Shoals, and Columbia developments, together with channel improvements, at an estimated cost of \$51,511,000, these projects to be followed by the construction of other units of the development when it is determined that a suitable market for the power exists or is reasonably to be expected in the near future.

The estimates of the Board have been based upon its conclusion that provision should be made to construct, operate, and maintain transmission lines, substations, and facilities and structures appurtenant thereto, as may be found necessary for the transmission, interchange, and sale of the energy, the power to be disposed of under contracts approved by the Federal Power Commission.

By letter, dated May 7, 1941, the Commission transmitted to your Department its comments and conclusions with respect to an earlier report on the development of these rivers. In its letter the Commission expressed its general concurrence with the conclusion in that report that the comprehensive development of these rivers in the interests of navigation, power, and other beneficial purposes is desirable. As a result of studies by its staff, however, the Commission suggested that the height of the Blairs dam be increased by about 30 feet so as to impound water to elevation 340 feet, and that a dam at the Frost Shoals site with water impounded to elevation 230 feet be substituted for the then proposed high-dam Columbia project. As a part of this modification it was also suggested that the existing low-head dam at Columbia on the Broad River near its mouth be redeveloped by raising that dam so as to provide pondage for reregulation of the power plant discharges in the interest of navigation.

The Commission staff has reviewed the recent report of your Department and reports that the plans now proposed include projects at the Blairs and Frost Shoals sites which are in conformity with the above expressed views of the Commission. The staff also reports on the basis of its continued studies that the construction of these two projects as now proposed is desirable; that the new plan for the construction of the Columbia reregulating dam below the confluence of the Saluda and Broad Rivers is in the interest of the best development of the basin; and that projects at the Clinchfield and Buckingham Landing sites, as proposed by the Board, will be desirable units in the plan to develop comprehensively the resources of the Santee Basin. It appears, however, that further consideration should be given to the possibilities for the economic development of the power potentialities in the vicinity of Gaston Shoals and Cherokee Falls, and to modifications in the plans for the Greater Lockhart project.

The plan of the division engineer for Greater Gaston Shoals provides for a high dam downstream from the existing Gaston Shoals station that would submerge the existing plant. The division engineer finds that the costs of such a project would exceed the benefits and he does not recommend its construction. On the basis of its studies, with the

limited data available, the Commission staff reports that it appears economically feasible to redevelop the existing Gaston Shoals and Cherokee Falls stations so as to develop the head between the proposed Clinchfield and existing 99 islands projects in two new developments. Under this modification, the Greater Gaston Shoals Dam would be constructed a short distance upstream from the existing Gaston Shoals Dam, with pool at elevation 660; and a new dam would be constructed a short distance upstream from the existing Cherokee Falls Dam, impounding water to elevation 555. On the basis of its preliminary studies the staff estimates the aggregate cost of these two redevelopments, with a total installed capacity of 37,000 kilowatts, at about \$13,500,000. The studies indicate that the two projects in this modified plan would have a ratio of benefits to cost of 1.27.

The Greater Lockhart plan of the division engineer contemplates the construction of a high dam above the existing Lockhart station, and changes in the existing Lockhart station. Under this plan full pool elevation would be 510. The existing 99 islands station would be drowned out and heavy flowage damage due to the inundation of highways, railways, industries, and other improvements would result. The staff believes for these reasons that the new dam should be constructed with full pool at elevation 440 instead of 510. Based upon operation at higher load-factor than contemplated by the division engineer the installed capacity at this lesser dam would be about 14,000 kilowatts. Exclusive of the changes that would be made to the existing Lockhart station, the estimate of cost of this modified Greater Lockhart development is about \$7,000,000 and the ratio of benefits to cost is about 1.38. The total head that would be developed under either plan would be substantially the same and there would be little if any reduction in energy output under the staff's plan which envisions the maintaining in service of the existing 99 islands station.

Under the plan for stage development of the river, it is to be expected that the Gaston Shoals and Lockhart redevelopments will not be undertaken in the immediate future, and the Commission recommends that consideration and study, in cooperation with its staff, be given to the modifications in the plans of the division engineer along the lines suggested above.

The Commission staff also observes that the plans of the division engineer for power are based upon operation at about 25 percent load factor whereas in its opinion initial installations in this basin should be made for operation at about 50 percent load factor. The staff's studies of the economics of the proposed developments have been made on the basis of this higher load factor.

Based upon its previous consideration of the possibilities for the development of the Santee River Basin, upon a review of the more recent reports of your department, and upon studies by the Commission staff, the Commission believes that the comprehensive development of the Santee, Congaree, and Broad Rivers is desirable and in this connection refers again to its letter, dated May 7, 1941, in which it was concluded that the development should be undertaken.

Subject to such modifications as may prove advisable, after further consideration by your department and the Commission of the alternatives suggested herein for the developments in the vicinity of Gaston Shoals and Lockhart, the Commission is in general accord with the plans of your department for the development of these rivers. The Commission believes that the development should take place on a step-by-step basis and is of the opinion that the Blairs and the Columbia reregulating dam

projects should be undertaken first and at such time as the war emergency permits and makes advisable, to be followed by the Clinchfield project, in the interest primarily of additional regulation on the river, and by the Frost Shoals project. The programming for construction of the other projects included in the plan would be predicated upon continuing surveys of power markets and of the possibilities for expanding the use of electric power in the region.

The enabling legislation should contain a provision in substance like that suggested in the Commission's letter of May 7 with respect to benefits received by any power project, not under Federal license, on account of the operation of any development authorized under the act. The language included in H. R. 3961, Seventy-eighth Congress, second session, with respect to the proposed Clark Hill reservoir project on the Savannah River appears to protect adequately these interests of the United States.

The Commission will have its staff continue to advise with your engineers in their further detailed studies of the development of this basin.

Sincerely,

Chairman.

FEDERAL POWER COMMISSION,
BUREAU OF WATER POWER,
April 11, 1944.

MEMORANDUM RE SANTEE AND CONGAREE RIVERS,
NORTH AND SOUTH CAROLINA

This memorandum is a brief of the plan and program of development of the Santee and Congaree Rivers as envisaged by the Commission in Chairman Old's letter to Gen. E. Reybold dated April 4, 1944.

The plan is basically similar to that of the War Department as reported by the division engineer on October 6, 1942, with some modifications for obtaining greater utilization of the river resources. In this connection, reference is made to my recent conference with Senator MAYBANK, who expressed interest in the further development of the river resources for the people of South Carolina.

The multiple-purpose development of the Santee River is, in effect, already under way with the completion of the Pinopolis project for navigation, flood control, and power. The plan set forth herein extends the development up river to include the Congaree and its principal tributary, the Broad River. This will extend navigation to Columbia, S. C., and will provide a substantial block of hydroelectric power, as well as incidental benefits to reduce floods and provide for recreational improvements. By the construction of eight dam and reservoir projects, estimated to cost approximately \$134,000,000, including power equipment and transmission facilities, there will be provided:

1. A navigable waterway from the Pinopolis Dam to Columbia, with initial depth of waterway 8 feet and, ultimately, 10 feet.
2. The generation of 1,450,000,000 kilowatt-hours annually by the installation of 285,000 kilowatts of generating capacity.
3. Improved electric generation at the existing power plants on the Broad River and at the Pinopolis power plant.
4. Incidental flood control and other benefits.

The total net benefits of the plan are estimated to exceed the cost, with sufficient margin to provide electric energy at a cost lower than by fuel-generated power in this area.

Control of the Santee-Congaree and Broad Rivers would be obtained, in the main, by three large reservoirs, the Clinchfield, Blairs, and Buckingham Landing. The Columbia reregulation pond will provide for a steady river flow to make navigation possible prior to the construction of the Buckingham Landing project.

The summary of the projects follows:

Project name	Gross head	Continuous power (kilowatts)	Initial installed capacity (kilowatts)	Ultimate capacity planned for (kilowatts)	Average annual energy (kilowatt-hours)
Clinchfield.....	140	6,500	25,000	25,000	59,000,000
Greater Gaston	105	10,000	25,000	50,000	120,000,000
Greater Cherokee.....	35	5,000	12,000	12,000	50,000,000
Greater Lockhart.....	45	7,000	14,000	14,000	80,000,000
Blairs.....	80	20,000	54,000	80,000	220,000,000
Frost Shoals.....	70	22,000	40,000	60,000	245,000,000
Columbia.....	42	12,000	30,000	40,000	176,000,000
Buckingham Landing.....	55	38,000	85,000	126,000	500,000,000
Total, 8 new plants.....	120,500	285,000	507,000	1,450,000	303,000,000

By this plan the improved regulation of the river flow will provide for the installation of 285,000 kilowatts, of which 253,000 kilowatts would be dependable for interconnected system use at 50-percent load factor. Beyond this, the dependable capacity value at the existing power plants: Ninety-nine Islands, Lockhart, Parr Shoals, and Pinopolis would be increased by 50,000 kilowatts to provide an additional 90,000,000 kilowatt-hours per year. Thus the total additional dependable capacity on the river would be 303,000 kilowatts.

Both the War Department and the Federal Power Commission have studied this river for several years with a view to a practical initial program to provide sufficient reservoirs to control the Broad River to a point where the river flow at Columbia will be about 5,000 cubic feet per second to provide navigable depth in the river below Columbia. For this purpose the minimum initial program would include the Blairs reservoir and power plant and a regulating dam and power plant at Columbia.

The War Department has included the Frost Shoals project for early construction along with Blairs and Columbia. The Commission staff believes that the Clinchfield reservoir should be constructed ahead of Frost Shoals in order to obtain a high degree of river control and to provide benefits along the entire length of the Broad River. Furthermore, it appears that the best over-all economy can be obtained by an initial plan consisting of four projects which will cost, with transmission facilities, about \$58,000,000. These projects are summarized below in what appears now to be a desirable order of construction. The Clinchfield and Frost Shoals projects would follow Blairs and Columbia as closely as power market and other conditions would warrant.

Project name	Gross head	Continuous power (kilowatts)	Initial installed capacity (kilowatts)	Ultimate capacity planned for (kilowatts)	Average annual energy (kilowatt-hours)
Blairs.....	80	20,000	54,000	80,000	220,000,000
Columbia.....	42	12,000	30,000	40,000	176,000,000
Clinchfield.....	140	6,500	25,000	25,000	59,000,000
Frost Shoals.....	70	22,000	40,000	60,000	245,000,000
Total, 4 projects.....	58,500	149,000	205,000	700,000	700,000,000

These four projects would provide the most economical block of hydroelectric power that can be obtained from the further developments in the Santee and Congaree Rivers. The cost of production would be about 3.9 mills per kilowatt-hour.

It would be possible to construct an initial project at Buckingham Landing to provide for greater navigable depths to Columbia and also navigable waterways to Camden, S. C. If this project were selected initially, the project cost would be about the same as for the combined Blairs, Columbia, Clinchfield, and Frost Shoals projects, which would produce 700,000,000 kilowatt-hours annually. In the case of Buckingham Landing there would be generated 500,000,000 kilowatt-hours at a cost of about 4.9 mills per kilowatt-hour.

KENNETH W. ROSS,
Senior Engineer.

BUREAU OF THE BUDGET,
Washington, D. C.

The honorable the SECRETARY OF WAR.

MY DEAR MR. SECRETARY: This will acknowledge your letter of April 17, 1944, transmitting copies of the proposed report of the Chief of Engineers dated April 13, 1944, on the Santee River of North Carolina and South Carolina, with a view to determining the advisability of improving existing conditions for navigation on the Santee and Congaree Rivers so as to provide for navigation to Columbia, S. C., and for the development of hydroelectric power in that vicinity and requesting advice as to the relationship of the proposed report to the program of the President.

A review of this proposed report indicates that the improvements recommended by the Chief of Engineers are in harmony with a long-range plan for the development of the water resources in this drainage basin. If the full benefits of these improvements are to be realized, however, it is obvious that adequate provisions must be made (a) for the transmission and sale of the hydroelectric power developed at the site of the improvements, and (b) for the payment to the United States of reasonable and equitable sums from the owners of existing hydroelectric plants to cover the water-flow regulation benefits accruing to these plants by reason of the operation of the recommended improvements.

The transmission and sale of the hydroelectric power that would be developed at the site of the recommended improvements should be integrated with the operations of other publicly owned hydroelectric power systems in the area, including the existing Santee-Cooper and Buzzards Roost developments and the proposed Clark Hill project. Moreover, if full use is to be made of the available power resources in the Southeastern States, adequate interconnections will be required with other transmission systems. It would appear, therefore, that these power transmission and marketing problems merit further study, and that it, accordingly, would be better to omit any present provision for the construction of transmission lines, except those interconnecting elements of the project, or for the transmission and sale of power, and leave this matter for determination at a later date.

The operation of the recommended power improvements will result in water-flow regulation benefits to certain existing privately owned hydroelectric power plants not licensed by the Federal Power Commission. In his letter of April 11, 1944, to the Chief of Engineers, a copy of which is enclosed with the proposed report, the Chairman of the Federal Power Commission takes the position, which would appear appropriate, that the authorizing language for the improvements should include a provision to assure collection by the United States of annual charges from the owners of such unlicensed

projects for these water-flow benefits, along the lines of the provisions with respect to the proposed Clark Hill Reservoir project on the Savannah River, as contained in the bill, H. R. 3961, now pending in the Congress.

In addition to what has been said above, I must also advise you that, in the absence of evidence showing that the proposed improvements are necessary to the prosecution of the war, the submission during the present emergency of any estimate of appropriation for construction of the improvements would not be in accord with the program of the President.

Very truly yours,

Director.

CLIFFORD K. BERRYMAN

Mr. DAVIS, Madam President, recently the Pulitzer Prize Committee announced its list of awards for the past year, and among those honored was Clifford Berryman, affectionately known as Cliff, whose outstanding ability as a cartoonist has at long last been accorded the recognition it justly merits.

Cliff Berryman possesses that rare gift of creative artistry which permits him to portray an outstanding event, or to drive home a vital point, with but a few flashes of his magic pen. And in all his trenchant and timely works Clifford Berryman retains a sense of sound restraint and intellectual balance which adds greatly to the appeal and the worthiness of his product. Berryman's works are never marred by blind passion, by sheer partisanship, or by violent personal implications. He is as sound, as well balanced, and as highly regarded as the newspaper he serves.

I have known Mr. Berryman and his work throughout the twenty-odd years which I have spent in Washington, and I am satisfied, both through my personal acquaintance with the man and through my continued observation of his consistently fine work, that he is one of the outstanding representatives of the American free press, and that he is indeed worthy of the recognition and high honor which have come to him.

Madam President, as an indication of the high esteem with which Mr. Berryman is regarded by his colleagues of the press, I ask unanimous consent to include in the Record as a part of my remarks, an editorial which appeared in this morning's issue of the Washington Post, bearing the plain title "Berryman," and which sets forth in some detail a number of the high lights of Mr. Berryman's outstanding career.

There being no objection, the editorial was ordered to be printed in the Record, as follows:

BERRYMAN

It was a great pleasure to read that the work of our long-celebrated townsman, Mr. Clifford Berryman, of the Evening Star, has been recognized by the Pulitzer prize committee, though we must say the recognition is rather belated. We feel pretty sure that Mr. Berryman's colleagues of the Star will not take it amiss if we claim for ourselves a slight share of their pride in this honor. After all, Mr. Berryman is one of a rather long list of Post alumni who have distinguished themselves in—well, you must not expect us to say greener pastures, but, at any rate, in other pastures. It was, if we may say so, the Post which rescued Mr. Berryman from the bushel under which he had been hiding in the Drafting Division of the Patent

Office. It was the Post that in 1889 published his first newspaper illustration, and that, you recall, was even longer ago than the first Roosevelt administration; it was, in fact, in the first Cleveland administration. It was in the Post, too, that the teddy bear, probably the most famous and popular of all cartoon symbols, first appeared.

Since then Mr. Berryman has become as much a Washington institution as, say, the Marine Band or the Easter Monday egg rollings. It seems to us that, good as they were to begin with, his cartoons have been quietly improving all these years. The taste for them is, to be sure, an acquired taste, but at least three generations of Washingtonians have acquired it as naturally as they acquire the language. A Berryman cartoon is more likely to provoke a smile or a chuckle than an outright laugh, but this, according to the wise men, is the higher form of humor. Thus, his method is greatly in contrast to the prevailing fashion, which tends toward sharp and acid satire. The Berryman satire is oblique rather than direct and softened by an instinctive kindness. If he "nothing extenuates," neither does he "set down aught in malice." In other ways, too, as, for example, in his use of the device of the conversational balloon, Mr. Berryman may seem a bit old-fashioned, but to his devotees this is an essential part of his charm, and as for draftsmanship and general technical excellence he has had few peers; offhand, we can think only of the late Winsor McKay and George McManus, neither of whom was very successful with purely political subjects.

FARMING CONDITIONS IN THE NORTHWEST

Mr. LANGER. Madam President, I am in receipt of a letter from a very outstanding farm woman in North Dakota. The lady writes concerning some of the problems which are confronted by the women, as well as the men, residing on the farms of this country. The letter coming, as it does, from an outstanding farm lady, it is my opinion that it is worthy of the attention of every Senator. The letter reads:

UNDERWOOD, N. DAK., April 3, 1944.
Senator WILLIAM LANGER,
Washington, D. C.:

I saw in the Minneapolis Journal that the farmer was forbidden to pay more than \$200 a month for farm labor. What farmer can pay \$200 a month for labor? Also the farmer must board, room, wash, mend, and cart a hired man around with the family, and have a lunch in the field in the afternoon and the coffee pot continually on the stove in case he should come to the house for refreshment between meals. In 1940 wages were from \$30 to \$40 per month and \$2.50 to \$3 per day for threshing and harvest; now we pay \$6 per day for ordinary labor, putting in crop, haying, or harvesting, for extra help as well as our hired man in harvest. So we have inflation of wages, deflation of prices of what we raise. The Government asked for extra hogs, but made no provision for taking care of the meat. The packers got a subsidy payment and the farmers lost hundreds of dollars. It was a debacle like the killing of the little pigs (see HENRY WALLACE for particulars).

North Dakota is famed for recurrences of droughts, in a bad year we would not net enough to pay our hired help even at \$75 per month. The farmer's wife works from dawn 'til dark, the children work. The farmer has no tires for his car, he cannot get repairs for his old machinery and he cannot buy new, only at ruinous prices. He has to be a wizard to keep things going, 5 a. m. 'til 10 or 11 o'clock are his hours, for he must toll alone with what aid he can get from his family and never can count on anything coming in at the end of the year. A crop is ruined so

easily in the making. The man who fills a Government contract can pay. He knows the money will be there rain or shine if he fills his part of the contract. We have had 3 good years, we have paid many debts. We still owe on seed and a feed loan partially paid. We must deny ourselves even of things we badly need to buy War bonds and aid the Red Cross. What is in store for the farmer? Should not the farmer receive as much as the workers in war plants? Through proper payment for what he produces. Live-stock prices must go up as feed prices raise, do they?

Recently three good farmers were at my son's house and all said, "No hired help for me at present wages and prices. We will do what we can and the rest of the land can lie idle." I am 84 years old and I have seen North Dakota in all phases of agriculture. There have been many failures, few good crops, dust storms and hoppers. My husband is personally acquainted with you. No North Dakota farmer wants charity or relief. We want our work appreciated and paid for. We don't want to raise a lot of hogs with no market for them when meat is rationed. We do not want to produce poultry and eggs with high feed costs and markets so glutted we lose money. What is wrong in Washington that such a state of affairs exists?

I believe you are a friend to the farmers of North Dakota.

Yours very sincerely,

Mrs. C. E. MATTOON.

Madam President, upon receipt of this letter I communicated with Mrs. Mattoon and asked her permission to introduce the letter into the CONGRESSIONAL RECORD. In my opinion, it is a typical letter that represents what the average farmer's wife thinks about the present conditions of agriculture.

I may add that the farmers' wives were begged a year ago to produce poultry and eggs, with the result, because, apparently, the affairs of the Department of Agriculture were so inefficiently handled that they had to produce them at a loss.

I bring this letter to the attention of the Senate, confident in the belief that those of us who are interested in agriculture will do something to bring to the attention of the Department of Agriculture the present ruinous situation which agriculture is facing.

POLAND IS NOT YET LOST WHILE WE ARE ALIVE

Mr. DANAHER. Madam President, when last fall there came before the Senate Resolution 192, known as the Connally resolution, we had under consideration the nature of possible advice to the Chief Executive with reference to our international situation. The second paragraph of the Connally resolution called upon the United States to take the position that our Nation "cooperate with its comrades in arms in securing a just and honorable peace."

It seemed to me at the time, that the word "peace" should be given some definite connotation. I offered an amendment to the resolution which would have defined the term "peace" to mean an agreement for peace, an agreement among nations which would be designed to result in a state of tranquillity to be enjoyed by political society.

Clearly, Madam President, unless the minds and the hearts of men shall be equal to an acceptance of the obligations they say they are willing to assume, no pact to be written can be worth the paper

upon which it appears. It seemed to me that we should, as a matter of advice, call to the attention of the Chief Executive at least minimum standards upon which we would engage to proceed and whose acceptance the American people would expect from the comrades in arms with whom we were to deal in our agreement for peace.

Thus, Madam President, I sought to have the Senate include in its declared understanding of the term "agreement for peace," provision:

(1) That no signatory nation shall seek aggrandizement, territorial or otherwise;

(2) That no territorial changes shall be permitted which do not accord with the freely expressed wishes of the peoples concerned;

(3) That all peoples shall have the right to choose the form of government under which they shall live, particularly to the end that self-government may be restored to those who have been forcibly deprived thereof;

(4) That they will grant to all nations, great or small, victor or vanquished, access on equal terms to the trade and the raw materials of the world which are needed for their economic prosperity;

(5) That they will undertake fullest collaboration among all nations in the economic field to the end that they may enjoy improved labor standards, economic advancement, and social security.

There came to our notice, Madam President, the fact that there was being held at Moscow even then a conference among representatives of several of the comrades in arms. In my discussion of the Connally resolution I remarked:

Mr. President, I stop there to point out that, while at Moscow there was agreement on what is to be done with reference to Italy and Austria, nothing was said with reference to Poland, for example. In a State like the State of Connecticut there are literally thousands upon thousands of boys of Polish extraction who have gone into the armed services of the United States and who are fighting all over the world in the firm belief that they are going to help restore the pre-war borders of the homeland of their parents and to restore Poland, the source of the family line of which they are a part; and yet not a word is even so much as suggested as to what is to be done with reference to Poland. It seems to me that any agreement for peace that is to have any foundation in security, justice, and honor is bound necessarily to take into account the situation with reference to Poland.

Madam President, the amendment which I then sought to the Connally resolution would have embodied the principles so succinctly set forth in the Atlantic Charter, upon which we thought we could rely.

We had delivered to us in the Senate on November 1 the confidential release of the State Department dealing with the agenda at the tripartite conference at Moscow, which purported to state the results of the meeting. We know now from our review of the joint declaration issued by the secretaries of the several governments participating at Moscow that there were many questions upon which agreement was not had. I quote from it Madam President, because, in the light of the events which have transpired in the intervening months, new connotations surely must be attributed to

the language which appeared in the State Department release. I quote:

The agenda included all questions submitted for discussion by the three governments.

I pause in my quotation, Madam President, because I am as certain as I stand here that when that release reached us while the Connally resolution was under consideration, the plain intendment of the language in the minds of the Senators present was that the tripartite conference had included all questions which had been raised or were then foreseeable as constituting possible sources of difficulty among the three nations there represented; in the light of what we know has since happened, we may reread that sentence to mean that the agenda included all questions submitted, but only those submitted, for discussion by the three governments.

I recur to the release, and to the paragraph from which I earlier quoted:

Some of the questions called for final decisions, and these were taken.

What were the questions not submitted, or what were those upon which final decision could not be had? We do not know.

On other questions—

I repeat for emphasis—

On other questions—

So that now we are in a second class, obviously—

after discussion, decisions of principle were taken.

So that we may pause now to observe that while agreement was had upon certain questions, as to yet others, "after discussion," only decisions of principle resulted.

These questions were referred for detailed consideration to commissions specially set up for the purpose, or reserved for treatment through diplomatic channels.

Now we come to a third classification:

Other questions again were disposed of by an exchange of views.

They were disposed of by an "exchange of views." Obviously there remained a class of questions upon which the exchange was had, but no agreement reached and no settlement achieved. I think we may fairly conclude that among the questions in the latter class were those involving the Baltic states of Estonia, Latvia, Lithuania, and the contiguous state of Poland.

Before we undertake to evaluate just what happened at Moscow, Madam President, I suggest to my colleagues, in the light of more recent events, that we must some time learn what were the questions raised upon which no agreement could be had. When we know by whom and precisely what questions were raised upon which disagreement followed, then and then only will we be able in sum to adjudicate what happened at Moscow. Whatever those questions were, they must have been deeply significant, for we may recall that in a few short weeks, Mr. Roosevelt and Mr. Churchill flew thousands of miles across the ocean to meet Mr. Stalin at Teheran. Just what were

the results of that conference, we do not know.

Certainly the Atlantic Charter, the terms of which we reasonably thought had been made the basis of our national action, has been relegated to a limbo all its own. Mr. Stalin has obviously insisted upon dealing unilaterally with reference to the territories contiguous to Russia. Mr. Churchill has told Parliament that the Atlantic Charter must be revised in the light of "changed conditions." Within the 3 weeks Mr. Hull has told the people of the United States that the principles of the Atlantic Charter comprise "objectives" toward which we must strive.

Madam President, in the light of the fact that the Atlantic Charter had been so firmly and fully relied upon by our citizens, to find our comrades-in-arms abjuring the principles upon which it proceeded, to the point where agreement has not been had, is certainly the cause for concern on the part of the American people. That is the more particularly true when we refer to the Department of State bulletin for January 3, 1942, where we can find the joint declaration by the United Nations which, signed by the representatives of all the nations therein participating, included the Union of Soviet Socialist Republics.

I mention such things at this time, Madam President, because it seems to me we might against this background pause to ponder our position, particularly as related to Poland. In the words of the title of the Polish national anthem, "Poland is not yet lost while we are alive." And today, on the fifth anniversary of the last free celebration of the 3d day of May, Independence Day in Poland, I ask unanimous consent that there be printed in the RECORD as a part of my remarks an article entitled "May the Third in Polish History," by Eric Topen, which appears in the April 29, 1944, issue of the splendid weekly, *America*.

The PRESIDING OFFICER. Is there objection?

There being no objection, the article was ordered to be printed in the RECORD, as follows:

MAY THE THIRD IN POLISH HISTORY (By Eric Topen)

Every world crisis provokes a deeper study of history. Men become dissatisfied with shallow and short-sighted explanations of the present in terms of the present, and are thus unconsciously impelled to go back to the past, there to seek the source of the current mystery and confusion. Unfortunately, when they do so, they very often become anachronistic. They place themselves in the periods of the past and judge them according to present-day standards. Or else they will make of each country or each century such a separate unit of world history that proportion is lost. In short, they become careless about historical context.

Disastrous as this situation is, there are those who sin even more against history by denying or overlooking the factor of Divine Providence. Many consider history to be nothing else than a series of political, social, and economic changes, with various countries playing their unforeseen parts and then slowly vanishing into time. To them history is just an enigma, and a terrifying one at that. And well it might be terrifying if we did not leave provision for God's Providence in the guidance of man throughout history.

It is only, therefore, in the proper historical perspective and the light of God's Providence that we can truly estimate the glory and the value of the event that every Pole remembers on the 3d of May.

What does the 3d of May 1791, represent to the world? To every Pole it may be his chief national holiday, the day of the constitution. To the world, it is another step in the progress of man toward freedom. What the Declaration of Independence represents to an American, and the Magna Carta to an Englishman, the constitution of the 3d of May represents to the Pole. It is his declaration of the rights of man. At the same time it represents the transformation of a medieval Polish state into a modern constitutional monarchy. Tragically enough, however, whereas Magna Carta and the Declaration of Independence were given an opportunity to be applied and bear fruit, the Polish Constitution was choked within a few years of its birth by greedy and unscrupulous neighbors. That is one reason why its story is interesting. Why should neighboring powers try to abolish a conservative constitution which favored the rights of man? The answer to this question involves the story of the government and the constitutional procedure in Poland from its earliest times. This is the story which forms the historic background to the events of the 3d of May.

The original Government of Poland consisted of a council of the chief nobles and the higher clergy, wiece, over which the King presided. These nobles, szlachta, were great landowners and cultivated large estates over which they ruled in the manner of princes. Depending on the great lord or noble, there usually were attached to the same estate many petite noblesse, nobles of lesser fortune, who, although the lord's dependents, were theoretically his equals. There was another class of nobles little known among many historians, who could be termed the "middle class" nobles. They generally took very little interest in politics and were content in the quiet management of their own estates.

Yet one and all, the nobility sedulously reserved to itself two privileges, viz, that of bearing arms and that of owning land. Besides these two, there were of course other privileges which were received as favors from the kings. Thus, in 1374, King Louis of Anjou by the Privilege of Kassa exempted the szlachta from virtually all taxes and from all national duties except military service. In 1454, the szlachta, by the Statutes of Nieszawa, obtained from Casimir IV the promise that all laws henceforth would be made only with the approval of the nobles and that no general mobilization would be ordered without their consent.

The wiece in time became the Senate (the Upper House), presided over by the King. The coming of the Lower House represented the growing political consciousness of the petite noblesse. They at first gathered into local diets called dietines, sejmiki, for discussions relevant to the proper management of provincial affairs. Gradually dietines here and there began to send deputies to the King's Council until finally, in 1493, at the Diet of Piotrków, they were all represented. This form of bicameral diet was formally recognized by the statute Nihil Novi in 1505, and henceforth the legislative body consisted of the Senate (formerly the Royal Council), and the Chamber of Deputies (containing the representatives of the dietines).

The General Diet or Sejm thus began in grand style. From its inception it virtually controlled the King by making him dependent upon it for money and military support. Some time later it asserted two peculiar rights; the liberum veto, and the right of confederation. The first was prompted by a desire to have unanimity of consent in regard to any law or project before it could be passed. Henceforth, by a simple utterance of Nie

pozwalam (I do not allow it), any member of the diet in session could blast the law which was proposed and which was pending adoption.

But this veto at the same time dissolved the diet and invalidated all the laws passed during the self-same session. True, while the nobility held to its high ideals, this extraordinary prerogative was never used. The day came, though, in 1652, when a nobleman, perhaps intoxicated with an irrational love of freedom, shrieked *nie pozwalam* in a session of the diet. That shriek was almost equivalent to a death-knell of orderly procedure in the legislative body. For from that day on to 1764, of the 55 Diets held 48 were dissolved. There was a means of overcoming the *liberum veto* and this was the second right asserted by the nobility, the right of confederation. According to it, any coterie of nobles could arm itself to put over a favorite law—by force, if necessary.

Such was the growth of this unwritten Polish Constitution under the guidance and protection of the nobility. This might have all been very well, indeed, if the nobility were the only class in Poland. Of course, there were others: The townsmen or the burghers, and the ever-present peasants. At most, the nobility formed 5 to 8 percent of the population, the townsmen accounted for another 15 percent, and the peasants, the remainder, constituted the greater part of the population. But while rights and privileges were accruing to the nobility, the rest of the nation stood waiting. The Polish constitutional development was obviously one-sided. The scale was tipping, and the balance was heavy on one side. As a matter of fact, the more rights the nobility received, the fewer obligations they cared to assume. The more rights the nobility acquired, the more they wanted to keep them, regardless of whether or not they were proving themselves disastrous to the welfare of the nation. Many a zealous king tried sincerely to reform this situation and to suppress such anomalous constitutional procedure. John Casimir ominously warned that the state would be annihilated if there was not a reform in head and members of those welding authority.

Nor was he wrong. The neighboring powers, especially those who had plans for territorial aggrandizement, were well aware of the pitiable one-sided constitutional growth, and they encouraged its promotion until the life-blood of Poland was sapped. In a secret meeting in 1763, Catherine the Great made a pact with Frederick the Great to protect this death-bearing constitution and to prevent its alteration.

It was to remedy this state of affairs that the Great Diet convened in Warsaw on October 6, 1788. The majority of its members specifically entered it with a desire for constitutional reform. Consequently the diet was in good hands from the beginning. To avoid future bickering, a provision was passed that for this session the majority would rule. To obtain security against aggressors, an alliance was made with Frederick William II of Prussia. Then the committees of deputies began their great work, which took 4 years to complete.

It took a long time; but here the work of centuries had to be reformed as well as the ideas of certain nobles, ideas which were equally old. Finally, after much oratory, after much delay, after much strife, the diet was nearing its end; a new constitution had been drawn up and was ready for adoption. There now remained but one difficulty in sight—the long period of time which it usually takes for a country to adopt a new constitution. Conscious of this, the majority of the patriotic nobles secretly resolved to introduce the constitution and have it adopted the same day. Incidentally, the whole procedure of the diet with regard to the constitution was more or less veiled with secrecy, simply to prevent the neighboring nations

from knowing what was taking place, lest they prematurely suffocate it. But by the morning of the third of May, 1791, all Warsaw knew that something was in the air. The galleries of the diet were filled to capacity very early, while, outside, the streets were packed with cheering throngs anxious to see what the Great Diet had in store for them.

The session of the day began seriously. There was a preliminary statement read from the Deputation of Foreign Interests concerning the evil reports of another planned partition of Poland. This, the reader said, was in danger of taking place unless the Poles did something definite—and at once. Ignacy Potocki, the marshal of the diet, asked the King what he would do to save his country. The King, Stanislaus Poniatowski, produced the constitution. It was read aloud and greeted with shouts of approval. But then the objections of reactionaries began. There were some who especially opposed the clause which made the crown hereditary. They felt that their most precious heritage—freedom—would be taken away by this move. In the end, the King and the patriotic majority prevailed. The King, calling the Bishop of Cracow, Felix Paul Turski, had that ecclesiastical dignitary administer to him the oath to the constitution and, to be better seen by the assembled diet in the enactment of this historic role, he stood on a chair and was sworn audibly. What an amazing event in the "age of enlightenment." A king relinquished some of his power, not because he was coerced, but because he understood the meaning of freedom to such an extent that he wanted others to share in it.

Immediately the patriotic nobles, clergy and others, raised their right hands in one accord and swore allegiance to the constitution. Then the King, truly inspired, called on everyone who had taken the oath there with him in the diet to go to the Church of Saint John and repeat it before the altar. A procession formed, consisting of all the senators, all the bishops, most of the deputies, and a tumult of people, and marched with renewed vigor to the palace church. There the elite of the country pledged their lives and honor to uphold the constitution. When the organ sounded the *Te Deum*, many must have secretly breathed a prayer of thanksgiving to God in gratitude for His continuous providence over the destinies of the country. After the ceremony, a volley of 200 cannons was set off to confirm to the city and the nearby country the completion of the long-sought event.

That evening Warsaw was a city of joy. The rejoicing was spontaneous and buoyant, yet it never went beyond the point of good order, even though it did continue throughout the night. There was much reason for joy. One of the great revolutions of mankind was accomplished without the sacrifice of a drop of blood! It is no wonder, then, that Edmund Burke, that eminent British orator, could call it probably the most pure and defecated public good which ever has been conferred on mankind. This was the 3d of May 1791, a spring day or, better, a harbinger of a second spring for Poland.

An analysis of the articles of the new constitution reveals how thorough it was and how revolutionary. The Catholic religion was reaffirmed to be the religion of the state, but toleration was granted to all other beliefs. The crown was made hereditary in the Saxon line. The government was organized into three parts: Executive (consisting of the King and his council), legislative (composed of the chamber of senators and the chamber of deputies), and judicial. City and town dwellers (burghers) were given rights and allowed to send representatives to the diet. Trade restrictions between the nobleman and the burgher were removed and the middle class was encouraged. Those antiquated privileges, the *liberum veto* and the right of confederation were abolished.

Most revolutionary, perhaps, for those times, was the article which placed the peasant directly under the protection of the government and its law. Henceforth, if any contract was made between the noble and the peasant, both parties were subject to its terms. The millennium of political order and national brotherhood was slowly becoming a reality in Poland.

But the new portentous spring was not allowed to mature into a second summer. It was the age of despots, but what made it worse was that their dominions surrounded Poland. Under these circumstances, what chance had even a 3d of May? The constitution had barely been signed when plans were drawn up for a second partition. Frederick William II, the traitor who had just recently signed a treaty with Poland, and Catherine the Great, the amoral Empress of Russia, could not bear to see the rejuvenation of a country which they had proclaimed to the world to be dead. This time they would make sure that there would be no Poland—forever. And, indeed, when the Russian and Prussian Armies marched into Poland, and the second and third partitions occurred, to many this seemed an accomplished fact.

The fait accompli, however, never achieved the effect which the conquerors expected. How could it? The 3d of May was too great for them. The 3d of May was Poland's answer for all time that she was still very much alive. Years—nay, centuries—later the downtrodden nation could honestly sing in its national anthem, "*Jeszcze Polska nie zginela*"—"Poland is not yet lost while we are alive." It could always turn to the 3d of May for inspiration in the fight to attain and retain freedom.

This is the story of the constitution of May 3, 1791. These are the facts. Placed in its historical context, it stands as a truly great revolution, and one of the first in eastern Europe. To Divine Providence, to which all things are near and nothing is hidden, must be given the chief gratitude for that day. How wisely It preordained that the constitution should appear at that point of time when it would do the nation the most good. The members of the Great Diet must have been very conscious of this themselves, since one of their first moves after signing the constitution was to order that a special church be built to Divine Providence for His care over the nation. It is to the same Divine Providence that Poland turns again today, praying that, just as He had given it the 3d of May, so now He may give it freedom.

THE SEDITION TRIAL IN WASHINGTON, D. C.

Mr. McCARRAN. Mr. President, about 2 days ago there was transmitted to the chairman of the Committee on the Judiciary of the Senate an instrument entitled "Petition for Redress of Grievances." It was addressed to the chairman of both the Senate and House Judiciary Committees. The matter had to do entirely with a case now in course of trial in the District of Columbia, a case in which we learn from the press, an attempt is being made to empanel a jury. It is generally termed in the press "the sedition case."

Not desiring or deeming it best to deal with the matter individually, but having my own personal views as to the jurisdiction of my committee, or any committee of the Congress, I transmitted the matter to a subcommittee, with the letter which I send to the desk and ask to have read.

THE PRESIDING OFFICER. Without objection, the clerk will read.

The Chief Clerk read as follows:

MAY 2, 1944.

HON. CARL A. HATCH,
United States Senate.

DEAR SENATOR HATCH: The enclosed instrument, entitled "Petition for Redress of Grievances" came to me in the regular course of the mails today.

The question of jurisdiction or lack of jurisdiction by the Judiciary Committee of the Senate naturally arrests my attention. Moreover, the propriety of any consideration of this matter by the Judiciary Committee concerns me. I feel that the chairman should not act alone on this matter, whatever might be his first impulse in the premises.

I have therefore appointed the following subcommittee to inquire into this matter and report to the full committee as soon as possible: Messrs. HATCH, chairman, EASTLAND, DANAHER.

I have but one copy of the instrument, which is attached hereto. I have transmitted copies of this letter to Senator EASTLAND and Senator DANAHER and I hope you may be able to advise the committee at an early date.

Very respectfully,

PAT McCARRAN.

Mr. McCARRAN. Following that, Mr. President, today the subcommittee appointed by the chairman of the Committee on the Judiciary reported to the chairman, and I desire to have the report read, because I think it will enlighten the Senate. It is encompassed in only a few pages, and covers the subject exactly.

The PRESIDING OFFICER. Without objection, the clerk will read.

The Chief Clerk read, as follows:

UNITED STATES SENATE,
May 3, 1944.

HON. PAT McCARRAN,
Chairman, Committee on the Judiciary,
Senate Office Building,
Washington, D. C.

MY DEAR SENATOR: Deeming the matter submitted to us in your letter of yesterday one which requires prompt action, your subcommittee has met and considered the instrument entitled "Petition for Redress of Grievances," purporting to have been submitted to you by one Albert W. Dilling.

This petition relates to Criminal Case No. 73086, now pending before Chief Justice Edward C. Eicher in the District Court of the United States for the District of Columbia. The petition urges "immediately, an official investigation of the conduct of said trial thus far" and that the committee "also immediately designate official representatives to sit in on all future proceedings in said cause, in order that said defendants may henceforth be assured of the fair and impartial trial which the Constitution and laws of the United States guarantee and which has thus far been denied to them."

As indicated in the petition, the trial referred to is known as the sedition trial. Apparently, it has been in progress for some time in the district court and is still in the process of determination. Under these circumstances your committee is unanimously of the opinion that neither the Senate Committee on the Judiciary nor the legislative branch of the Government itself has any present jurisdiction in this matter. It is scarcely necessary to state that the judicial branch of the Government is a separate and independent branch of government. The independence of the judiciary must be maintained. It is a fundamental rule of law of age-old standing that the courts must proceed in the trial and adjudication of cases without let or hindrance from any source, including other branches of the Government.

Your subcommittee is convinced the granting of the request contained in the petition would be an invasion of the powers and prerogatives of the judicial branch of government not contemplated nor warranted by the Constitution or any existing law.

The courts must be left free to function without interference from any source whatever. Freedom of the judicial branch of Government is one of the greatest safeguards and protectors of democratic institutions. Even the appeal to the legislative branch of Government to interfere in the progress of a trial smacks strongly of an attempt to intimidate or influence the court in the discharge of its proper and lawful functions, which cannot be tolerated. The courts, we repeat, must be left free to function in accordance with the established principles of law and justice. If, upon proper showing in the appropriate forum, those principles shall have been found to have been violated or denied the laws of the land provide ample and full opportunity for review and correction. The present trial should follow exactly the same steps and procedure which are followed in all cases. Any departure from established procedure would be injurious to the entire administration of justice.

Your subcommittee, therefore, recommends that the petition be denied.

Very truly yours,

CARL A. HATCH,
Chairman, Subcommittee.
JOHN A. DANAHER,
JAMES O. EASTLAND,
Members.

Mr. McCARRAN. Mr. President, I desire to say that I am in full and complete accord with the expressions set forth in the report made by the subcommittee. The members of the Judiciary Committee of the Senate do not look with favor, and the present chairman of the committee will never look with favor, on any attempt to bring before that committee or before the Congress matters which belong specifically to and are being dealt with in due course by the courts of the land. The judicial branch of the Government is one branch. The legislative branch is another. So far as the present chairman of the Committee on the Judiciary is concerned they should remain distinct and intact.

Mr. FERGUSON. Mr. President, will the Senator from Georgia yield to me?

Mr. GEORGE. I yield.

Mr. FERGUSON. As a member of the Committee on the Judiciary, I should like to state that I join in the sentiment and the language of the report made by the subcommittee. If the executive branch of our Government, as well as the legislative branch, will heed the mandate of the subcommittee, I am sure we will have a better administration of justice and will truly be able to say that we have equal justice under the law as administered by the courts, and not as administered by particular individuals.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Chaffee, one of its reading clerks, announced that the House had disagreed to the amendments of the Senate to the bill (H. R. 4278) to provide for the control and eradication of certain animal and plant pests and diseases, to facilitate cooperation with the States in fire control, to provide for the more efficient protection and management of the national forests, to facilitate the carrying out of agricultural con-

servation and related agricultural programs, to facilitate the operation of the Farm Credit Administration and the Rural Electrification Administration, to aid in the orderly marketing of agricultural commodities, and for other purposes; agreed to the conference asked by the Senate on the disagreeing votes of the two Houses thereon, and that Mr. FLANNAGAN, Mr. COOLEY, Mr. PACE, Mr. HOPE, and Mr. ANTON J. JOHNSON were appointed managers on the part of the House at the conference.

SETTLEMENT OF CLAIMS ARISING FROM TERMINATED WAR CONTRACTS

The Senate resumed the consideration of the bill (S. 1718) to provide for the settlement of claims arising from terminated war contracts, and for other purposes.

Mr. GEORGE. Mr. President, since a motion has been made to postpone consideration of Senate bill 1718, which yesterday afternoon was made the unfinished business before the Senate, and that motion has not been disposed of, I wish to say a few words on the motion, but before doing so I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The Chief Clerk called the roll, and the following Senators answered to their names:

Aiken	Ferguson	Radcliffe
Austin	George	Reed
Bailey	Gerry	Revercomb
Bankhead	Gillette	Reynolds
Barkley	Gren	Robertson
Bilbo	Hatch	Russell
Brewster	Hawkes	Shipstead
Bridges	Hayden	Smith
Brooks	Jackson	Stewart
Buck	Johnson, Colo.	Taft
Burton	Kilgore	Thomas, Idaho
Bushfield	Langer	Thomas, Okla.
Byrd	Lucas	Tunnell
Capper	McCarran	Tydings
Caraway	McFarland	Vandenberg
Chavez	McKellar	Wagner
Clark, Mo.	Maloney	Walsh, Mass.
Connally	Maybank	Weeks
Cordon	Mead	Wheeler
Danaher	Millikin	Wherry
Davis	Murdock	White
Downey	Murray	Wilson
Eastland	O'Mahoney	
Ellender	Overton	

Mr. BARKLEY. I announce that the Senator from Washington [Mr. BONE], the Senator from Virginia [Mr. GLASS], and the Senator from New Jersey [Mr. WALSH] are absent from the Senate because of illness.

The Senator from Utah [Mr. THOMAS] has been appointed by the President of the United States as a delegate to attend the International Labor Organization conference in Philadelphia, and is, therefore, necessarily absent.

The Senator from Missouri [Mr. TRUMAN] and the Senator from Washington [Mr. WALLGREN] are absent on official business for the Special Committee to Investigate the National Defense Program.

The Senators from Florida [Mr. ANDREWS and Mr. PEPPER], the Senator from Kentucky [Mr. CHANDLER], the Senator from Idaho [Mr. CLARK], the Senator from Pennsylvania [Mr. GUFFEY], the Senator from Alabama [Mr. HILL], and the Senator from Arkansas [Mr. McCLELLAN] are detained on public business.

The Senator from Nevada [Mr. SCRUGHAM] is absent on official business. The Senator from Texas [Mr. O'DANIEL] is necessarily absent.

Mr. WHERRY. The Senator from Minnesota [Mr. BALL] and the Senator from New Hampshire [Mr. TOBEY] are absent because of illness.

The Senator from Oregon [Mr. HOLMAN], the Senator from Nebraska [Mr. BUTLER], the Senator from Oklahoma [Mr. MOORE], the Senator from North Dakota [Mr. NYE], and the Senator from Indiana [Mr. WILLIS] are necessarily absent.

The Senator from Wisconsin [Mr. WILEY] is absent on public business.

The PRESIDING OFFICER (Mr. McFARLAND in the chair). Seventy Senators have answered to their names. A quorum is present.

Mr. GEORGE. Mr. President, yesterday Senate bill 1718 was made the unfinished business and is now properly before the Senate. The bill deals primarily with the settlement of war contracts or claims arising from terminated war contracts.

The Senator from West Virginia [Mr. KILGORE] has made a motion to postpone consideration of the bill until one day next week. The Presiding Officer ruled that the motion is in order, and the motion is now before the Senate.

I sought in every possible way, as did the Senator from Montana [Mr. MURRAY], the author of the measure, in which I have joined as coauthor, to work out an agreement for postponement of consideration of the bill; but we found it impossible to do so. The Senator from New York has already given notice, and agreement had virtually been reached all around, by the majority leader and by other Senators at interest on both sides of the aisle, to take up the anti-poll-tax bill on next Tuesday. The Senator from West Virginia has moved to postpone consideration of the pending bill until next Wednesday. I merely wish to say to the Senate that if consideration of the pending bill is postponed until next Wednesday, that will mean there will be no legislation on war-contract terminations prior to the recessing of the Senate and the House, assuming that there will be a recess, and probably not until the end of this year.

Unfortunately, the real controversy which has arisen about the bill is that it does not include a great many other things which, of course, should be dealt with by the Congress at the earliest possible moment, to wit, disposal of war plants, disposal of surplus property of all kinds, and the matter of demobilization. It has been insisted that those matters should be dealt with promptly.

The Senate Special Committee on Post-war Economic Policy and Planning has given a great deal of consideration to the other matters which some Senators are now insisting should be included in the pending bill. But we are not ready or prepared to report to the Senate a bill dealing with certain phases of the other important problems which remain for consideration, and which should be considered at once, on the basis of our definite and final recommendations.

However, two bills which are pending deal with the other related questions which it is insisted should be included in the pending bill. Those other bills, as I recall, are Senate bill 1730, which is pending before the Committee on Military Affairs, and Senate bill 1823, introduced by the Senator from West Virginia [Mr. KILGORE]. I understand that hearings on both those bills are now in progress; and certainly there is every purpose to prepare at the earliest possible moment, and to bring to the floor of the Senate, legislation dealing with the other questions.

Mr. MURRAY. Mr. President, will the Senator yield?

Mr. GEORGE. I yield.

Mr. MURRAY. I was about to make the observation that those two bills are pending before our subcommittee of the Senate Committee on Military Affairs, and that we are now conducting hearings and will continue to conduct hearings until those two bills are properly and fully considered. I also wish to say that during the past several weeks I have been in constant touch with representatives of labor, in an effort to work out a provision for unemployment compensation, to be inserted in the pending bill. But they were unable to prepare one. Both the chairman of the Senate Special Committee on Post-war Economic Policy and Planning, and I, as chairman of the War Contracts Subcommittee of the Committee on Military Affairs, were willing to agree to such a provision, if one could be worked out. But we did not receive any until this morning. I received such a provision for the first time this morning. I think it deserves more study, and should not at this time be incorporated as a mere rider to the pending bill.

My committee is willing to continue diligently to conduct the hearings and make the study on the subject of unemployment compensation, because I think it is just as important as, if not more important than, the contract termination bill. I recognize, as I am sure the chairman of the Special Committee on Post-war Economic Policy and Planning of the Senate recognizes, that there is an absolute need for this legislation, and that we intend to give it our support when the time comes.

Mr. GEORGE. I am pleased to confirm what the Senator from Montana has said. Bringing forward this bill, dealing only with contract termination and settlement, is not to be taken at all as a statement or a position inconsistent with the further problems of reconversion—human, material, and financial—which must be dealt with and should be dealt with by the Congress at a very early date. However, because of jurisdictional questions in the House and because of the impossibility of getting a general over-all bill through at this time, we have separated the contract termination feature from the original bill, which was prepared by me in part, and by the special committee on Post-war Economic Policy and Planning, and introduced it in this body as a separate bill. It was likewise sent to the Committee on Military Affairs of the Senate, the Special

Committee on Post-war Economic Policy and Planning not being a legislative committee.

Mr. President, if the motion to postpone the pending bill until next week should prevail, it would mean that it would be postponed until after the end of this session, assuming that we are to have a recess about the time of the conventions, or about July 1.

I will not take the responsibility of saying to the businessmen of this country and to the men who work in war plants and in organized industry, that their jobs may be imperiled by holding up legislation on the contract termination features of the bill. The other matters are proper to be considered. They are proper to be considered in connection with contract termination, if it were possible to make any progress by joining other matters with contract termination. However, they can just as well be considered piecemeal, and in the long run they certainly will be dealt with piecemeal, if they are effectively dealt with at all by this Congress, because so many controversial questions will arise with respect to the disposal of war plants and surplus property, severance pay, unemployment insurance, and other related questions which are of very great importance.

The reason for separating the legislation is solely in the interest of obtaining action upon a necessary part of our whole reconversion program, which is most pressing at the moment, and will be most pressing, perhaps, during this year. Certainly there is no disposition to neglect legislation dealing with other matters, which can be offered as amendments to this bill. However, I express the hope now that the Senate will not approve them as amendments to the bill, because in my judgment that would mean loading down the bill, and the certain death of the bill, or at least long delay to the bill in the body at the other end of the Capitol, because of jurisdictional questions which have already arisen with respect to various phases of the problem of reconversion.

I, therefore, hope that, since this is the only opportunity we shall have to bring this bill to a speedy consideration, the motion will not prevail. If by agreement we could have had it set down for next Tuesday, if the Senator from New York, for example, had been willing to agree to that arrangement, both the Senator from Montana and the Senator from California would have agreed to the postponement of the bill. However, we found that we could not obtain such an agreement, and the only course left open to us which is consistent with what we think is the proper disposition of this matter, is to insist upon proceeding. I, therefore, most respectfully ask the Senate to reject the motion of the Senator from West Virginia.

Mr. GREEN. Mr. President, will the Senator yield?

Mr. GEORGE. I yield.

Mr. GREEN. I am seeking information. If the Senator from Georgia is correct in stating that postponement of action on the bill until next Wednesday

would very likely result in its postponement until the end of the calendar year, I do not understand why the same thing would not be true if we were to postpone action on the related questions, which may not be considered until the end of the year, and perhaps not at all. If the Senator's statement is true of one category, why is it not true of the other?

Mr. GEORGE. Because the Senator knows very well that the poll-tax bill has the right-of-way next week. It will require many days. It might well mean postponement of action on this and related bills until after any recess which the Congress may take. I do not know when we are to have a recess, or how long it will be; but I do know that it would probably mean postponement.

This particular feature has been approved by the Special Committee on Post-war Economic Policy and Planning; by the regular standing committee, the Committee on Military Affairs; and by a special subcommittee of that committee which considered the bill. In addition, it has the approval of all the agencies of the Government. After long labor we have been able to present a bill—although certain amendments may be desirable—which meets the present necessity at this time, that is, of providing some method of quick disposal and settlement of all terminated war contracts.

Mr. GREEN. Do I correctly understand the Senator to take the position that he hopes that this bill will pass now, even if legislation on the related questions is not reached until the end of the year, if at all?

Mr. GEORGE. No; I have taken no such position. We are now at work on the other bills, and they will be brought to the floor as soon as possible.

Mr. GREEN. Yes; but according to the Senator's own statement, is not that an indefinite future?

Mr. GEORGE. Yes; it is. However, the first step is the settlement of the canceled contracts. I am not willing, by postponing consideration of the bill, to make possible the wholesale loss of jobs in this country because we did not deal with first things first. We have already dealt with other related questions. We have already made provision for all the veterans in the armed services, men and women. We have already taken care of that immediate situation so far as the Senate is concerned. That matter is held up in the House. The pending bill is a proposal merely to consider contract termination and settlement, which is a necessary first step. A large volume of contracts has been canceled.

Mr. GREEN. But would it not be unfortunate if this one element in the situation were disposed of and the other elements were not disposed of?

Mr. GEORGE. They will be disposed of as soon as they can be reached.

Mr. GREEN. Yes; but that is in the indefinite future.

Mr. GEORGE. It is indefinite, because those measures must pass this body and another body. There is a jurisdictional dispute in the House which we must respect. There are disputes among the standing committees of the House. I have the hope that they may be ironed

out; but we can never make any progress unless we proceed with that feature of the reconversion program which can be dealt with now, and should be dealt with speedily so as to give the House an opportunity to get it out of the way. It does not stand in the way of the other problems which must have treatment, which are deserving of treatment, and which we are obliged to bring forward at the earliest possible moment. However, we find ourselves in the position where they cannot all be brought forward in one bill with any hope of success.

Mr. GREEN. I thank the Senator.

Mr. MURRAY. Mr. President, will the Senator yield?

Mr. GEORGE. I yield.

Mr. MURRAY. In connection with the discussion which is taking place, I should like to observe that I regard both these matters as being of such vital importance that they should be acted upon at the earliest possible opportunity. I do not believe Congress should adjourn until we dispose of the problem of unemployment compensation, as well as the problem of contract termination. It seems to me the problems could be handled very quickly if we should go to work on them, continue with the hearings, and get the contract termination provisions worked out. I think we could dispose of the matter very quickly.

Mr. GEORGE. I believe that what the Senator from Montana has said is true. I stand pledged to that course, and I am sure the Senator from Montana stands pledged to it also. It is my judgment that we will make progress more rapidly in the solution of all the reconversion problems—not merely in regard to the cancellation of contracts—if we deal with the matter as we are now proposing to deal with it, rather than by joining it in a general over-all bill, which would certainly run into so many difficulties that we would have very little chance, I believe, of securing action on it in the other House until very late in the year.

Mr. KILGORE. Mr. President, will the Senator yield?

Mr. GEORGE. I yield the floor.

Mr. KILGORE. The Senator made the statement that one reason for haste in connection with this matter is that he thought there would be a wholesale wave of unemployment. Can the Senator point out to me any part of this bill that amounts to anything except provision for a cash payment on the settlement of a terminated contract, or which would in any way bind contractors to reconvert and work on something else in order to furnish employment?

Mr. GEORGE. The bill deals only with contract termination.

Mr. KILGORE. That is correct.

Mr. GEORGE. I have stated that frankly, and I have given reasons why it deals only with contract termination. I assert now that experience will demonstrate that if we fail to proceed as rapidly as we can with all the reconversion problems, we will assume a responsibility which at some time during the war period, or at the end of it, we will have to face.

Mr. KILGORE. Mr. President, I am heartily in agreement with the able Senator from Georgia as to the need for a

speedy passage of measures affecting the terminating of contracts and taking care of the entire demobilization period. Complaint was made that nothing had been presented until this morning on the question, for example, of unemployment compensation for men made idle by termination. It is true that nothing was presented in printed form until this morning. It is also true that the bill in question, and which is in controversy, in its present form was not received by Members of the Senate until yesterday afternoon. My main reason for moving for a little time in which to study the bill is that during the little study which I was able to give it last night it was demonstrated to me that some very serious questions would arise as to the advisability of and possible need for amendment of the bill as it now stands, and I think it would be wise to take time to study the bill and ascertain if there are loopholes in it.

For example, under this bill any contract termination, if by agreement, is final, and there is no way of getting around it.

Secondly, one clause of the bill—I am referring particularly to the section with reference to Government agents in connection with contract terminations—relieves the agents from any liability even for gross negligence. Nothing but a charge of fraud can touch them. That would be with reference to a final contract.

I may be in error, but I think we are opening up a set of double gates for another Forbes regime, and I think the Members of this body would like to have a little time in which to study in detail the language of the bill, and also consider my contention that it is not possible to terminate a contract taking care only of machinery without taking care of what runs the machinery.

Mr. BARKLEY. Mr. President, I shall add only a word, because of the peculiar situation which in part at least influences me in opposing the motion of the Senator from West Virginia.

We all know there are many persons who are interested in the proposed anti-poll-tax legislation, and we have been trying to arrive at an understanding about a day when the anti-poll-tax bill could be taken up, when it would not necessarily interfere with other important legislation. We have tried to agree on a time when it could be disposed of one way or the other without the intervention of other bills causing the matter to be laid aside from time to time.

I have conferred with a number of Senators who favor the anti-poll-tax measure as well as with a number who oppose it. We have tentatively agreed that on next Tuesday, the 9th of May, an attempt will be made to begin the consideration of the anti-poll-tax bill. If the motion of the Senator from West Virginia [Mr. KILGORE] shall prevail, of course it will interfere with that program. If that program has to be set aside for the pending bill or any other bill, it is easy to see how the matter might drag along indefinitely, as it did on another occasion, and the Senate indulge in what might turn out to be futile debate, or time be spent on the

measure without a final determination one way or the other.

I suppose that nearly everyone knows that I favor the proposed legislation known as the anti-poll-tax bill. I voted before and will again vote for cloture in order to secure a vote on the bill. However, my attitude on it is of no importance except as my vote is concerned. Unless we obtain cloture we cannot obtain a vote on the bill, and if we cannot obtain a vote on it, the bill cannot be enacted into law. No matter how able the speeches may be, or from what side of the Chamber, or from what Senator they may come, they will not change the vote either on the bill or on the motion for cloture, and it is my feeling that after a reasonable length of time spent in debate an effort should be made to obtain cloture.

Mr. DANAHER. Mr. President, will the Senator yield?

Mr. BARKLEY. I yield.

Mr. DANAHER. Does the Senator from Kentucky understand that a motion for cloture will lie at the time of the debate on the motion to take up the anti-poll-tax bill?

Mr. BARKLEY. No, I do not so understand, because that is not the situation. A motion for cloture can only lie with reference to the debate on the bill itself after it has been made the unfinished business. I hope that may be speedily done, because I believe that is the sensible way in which to deal with the problem. It is a very practical parliamentary situation. I think it would be most unfortunate for the Senate to spend a long period of futile time on the bill unless a final vote could be obtained on the bill itself. I mention this because I cannot support the motion of the Senator from West Virginia to postpone further consideration of the pending measure until next Wednesday, which will be the day following the day when we expect to take up the poll-tax measure, and which will be more than a month after the date we had arranged for its consideration to begin.

Mr. KILGORE. Mr. President, will the Senator yield?

Mr. BARKLEY. I yield to the Senator from West Virginia.

Mr. KILGORE. Would it be satisfactory to the Senator to take it up on next Monday, which will be before the bill to which he has referred comes up? That would give me more time to study it.

Mr. BARKLEY. I am not in charge of the legislation. I do not know how controversial the Senator's amendment might turn out to be, but, unless we should be able to conclude the legislation on Monday, my feeling about it, in view of the other agreement, is that it would have to go over until after debate on the poll-tax bill had been concluded, and that might create as bad a situation as that which I have just discussed. For this reason I cannot vote for the motion to postpone the legislation until next Wednesday.

I agree with the Senator from Georgia that if those who have been urging for weeks the consideration of the anti-poll-tax bill and sought in good conscience to take it up, after the tentative agree-

ment we have entered into, should modify that agreement, I would have no objection to this matter going over, but that is impossible. I can well understand how they cannot afford to do that in view of the fact that for a long time they have been seeking an understanding as to when the measure in which they are interested might be brought up again, and that having been determined, they cannot very well afford to yield on it without subjecting themselves to the charge that they are playing hot and cold with the proposition.

Mr. MURRAY. Mr. President, will the Senator yield?

Mr. BARKLEY. I yield.

Mr. MURRAY. I should like to inquire if it will be possible for the able leader to permit this over-all legislation including the unemployment-compensation bill to follow the poll-tax measure?

Mr. BARKLEY. I will say to the Senator that, so far as I am concerned, I am as much interested in the rest of this program as anybody possibly can be. I am a member of the Post-war Economic Policy and Planning Committee; I participated in the consideration of the bill which we have brought before the Senate, and which was referred to the Committee on Military Affairs, which in turn has acted upon it with some amendments. I am interested in the other phases of legislation dealing with post-war problems as much as if not more than I am in this, although I recognize the importance of the pending measure so that men who have contracts with the Government may know what their rights are and may have them settled in order that they may begin the process of reconversion and begin the process of employment of men who are going to depend upon them for employment not only in the transitory period but permanently when we get back to a peace basis. I am interested in all the human elements of this situation, taking care of the men themselves, making provision for the unemployment, and all of that; but if we wait to consider this matter until the other measures have reached a status where we can take them up, it would not hasten the consideration of those bills at all by 1 day, in my judgment, and it would postpone for an indefinite length of time the consideration of this matter upon which we are ready to pass.

Much as I sympathize with those who have urged that the whole matter be disposed of in one piece of legislation, I feel that that is not the best course to pursue at this time.

Mr. MURRAY. It occurs to me that if we proceed now with the pending bill, the contract-termination bill, and enact it, we could immediately apply ourselves to the other over-all legislation and have it ready by the time the poll-tax bill was out of the way.

Mr. BARKLEY. Getting down to the meat of his question, I will say to the Senator, as a member of the Committee on Post-war Economic Policy and Planning, that as the Senator from Georgia, the chairman, has already indicated, we are giving consideration to that, and as one member of that committee, I would certainly give my word that we would see to it as rapidly as possible, and if

that legislation is ready for submission to the Senate or to the Committee on Military Affairs or to whatever other committee it has to go after it has been reported by the Post-war Economic Policy and Planning Committee, which is not a legislative committee, I shall, of course, cooperate with the managers of that legislation to bring it before the Senate at the very earliest day following the poll-tax bill, or at any other time when it may be brought before the Senate for consideration. I certainly should hate to see it postponed until after any recess for the conventions or any other recess during the summer, and I will exert all my energies to see to it that it is considered prior to any such recess.

Mr. MURRAY. The proposed legislation is now before the Military Affairs Committee and is being handled by a subcommittee of which I am chairman.

Mr. BARKLEY. Yes; that is true; but there are certain phases of the question that the Post-war Economic Policy and Planning Committee is considering upon which it might want to make a report and recommendation. I am saying what I am saying as a member of that committee. If the Committee on Military Affairs is ready to report legislation dealing with the other problems in the very near future, I will certainly cooperate with that committee in getting immediate consideration of it by the Senate as soon as it is reported.

Mr. VANDENBERG. Mr. President, I am unable to allow the pending motion to come to a vote without a brief statement, because I represent, in part, what is the largest war contract sector of the country, and therefore the sector which confronts the greatest post-war jeopardy in respect to demobilization and reconversion of war industry. I cannot emphasize too strongly the feeling which pervades this great war-production area that from now on every hour of delay in writing the preliminary reconversion formula is an hour which invites serious disaster.

I have the greatest respect for my good friend the able Senator from West Virginia, and, under normal circumstances, I should be anxious to join in the acceptance of any request which he might make in respect to the postponement of legislation. But, Mr. President, this is a matter which, in my humble opinion, cannot be postponed any longer unless Congress is prepared to take the responsibility for what might one day easily become the greatest panic in history in respect to demobilization; whereas, on the other hand, if Congress does lay down the basic formula in time before it is too late there is no reason why the post-war era should not be one of substantially stabilized prosperity.

I have to take the same position that was taken by the able Senator from Georgia. So far as I am concerned, I shed any share of the responsibility for any further delay which may in any respect be responsible for any such tragedy as I have indicated.

I am not speaking merely my own opinion when I use these harsh words. I know of no man in the United States who is a better judge of this economic prospectus than Mr. Bernard Baruch.

Whether we agree with him upon all occasions or not, the fact remains that he is one of the great economic sages of this country, and I am quoting Mr. Baruch, speaking to me within the last few days, when I say that Mr. Baruch believes that every hour from now on on which we delay in starting the process which writes the formula which permits this country to demobilize and reconvert its war contracts is "an hour"—and I quote Mr. Baruch literally—"which invites vast adventures in adversity." I repeat, I want none of that responsibility and I intend to take none.

Mr. President, the problem of demobilization and reconversion does fall into three and probably four general subdivisions. The Senator from West Virginia is quite correct; the pending bill, S. 1718, refers only to the first two of them, the two which are first faced by industry when it has to reconvert, namely, contract termination and plant clearance.

There still remains the question of the disposition of surplus property. There still remains the question of unemployment compensation and of severance pay. I will agree that the latter two, in their time, are just as important to those who are interested in them as are the first two. I will agree that we have not covered the subject adequately or conclusively until we have covered all four. I will agree to join with the Senator from West Virginia and the Senator from Georgia and the Senator from Montana in seeking to proceed through the total program before Congress shall take a recess. But I certainly cannot agree that these first two essential things, contract termination and plant clearance, shall be set aside until there can also be an agreement upon unemployment compensation and surplus-property disposition.

These questions have been before the Senate Committee on Post-war Economic Planning for 9 months. They have been before the Senate Military Affairs Committee for 9 months. If there is any suggestion that there has been a lack of time to explore them or a lack of time to submit amendments, any such suggestion is unwarranted and unjustified.

I started in on the consideration of the total problem with precisely the same viewpoint which the Senator from West Virginia has and precisely the same viewpoint which is expressed in the statement which has been given us on behalf of these labor organizations. I insisted that this problem was one integrated problem and had to be answered all at once. But I came to the point where I was reluctantly driven, and driven irresistibly, from that point of view, except as I was willing to wait, perhaps until too late, in order even to make a start in respect to solving the problem.

The problem of contract termination and plant clearance is a relatively non-controversial problem now that we have finally put it in the form of S. 1718. The proof of that fact is that S. 1718 now has the unanimous support of the Senate Committee on Post-war Planning, the support of the Military Affairs Committee, the support of the Murray subcommittee of the Military Affairs Committee, the support of the procurement agencies

of the Government related to war production, and the support of the Baruch committee.

Mr. President, if it is possible to mobilize any more powerful credentials upon which the Senate of the United States is entitled to rely, I do not know how it could be done. This bill is the bill which we present. We have divided it from these other questions for the reason that surplus-property disposition is highly controversial. Even when Mr. R. T. Thomas, of the C. I. O., testified before the Murray committee this week, he himself said, "We are not yet prepared to testify in detail on the utilization of war property."

We are not ready to legislate upon that subject. We are not ready to legislate upon unemployment insurance. We must legislate upon those subjects, I repeat, before we have concluded our job, and I am prepared to follow through and legislate on them. But, Mr. President, if there is to be an all-or-nothing policy, I very much fear the answer will be nothing, and then the answer will be economic tragedy, and there will be economic tragedy not merely for war contractors. Let no one mistake the ultimate impact of this problem. The jobs of 50,000,000 workers, the jobs of all the returning members of the armed forces, are equally at stake, because it is necessary to swiftly and conclusively terminate these contracts covering 80 percent of our average annual income, it is necessary to physically clear these plants, it is necessary to release private industry to a chance to function in a post-war era, before one single post-war job can be created.

Labor has just as great a stake in the thing about which we are talking this afternoon as has the war contractor, and instead of talking about postponing the consideration of legislation such as S. 1718 until we can perfect an unemployment insurance amendment, instead of talking about delaying legislation for the sake of unemployment insurance, I beg of the Senate to act in the name of employment, which certainly is an objective primary to unemployment, or anything related to it. It is employment that is at stake here this afternoon.

Mr. President, we cannot postpone this thing until next week without jeopardizing the whole program. The able Senator from Kentucky has made it perfectly plain that if we postpone, we collide with the poll-tax schedule. If we postpone to that point, the first thing we know we will have collided with the recess, and the first thing we know we will have collided with an election, and the first thing we know we will be around to a new Congress, and then the first thing we know we will have collided with a post-war crisis and calamity and tragedy for which I refuse to take any responsibility whatever.

Mr. President, I feel deeply upon this subject because, I repeat, I come from an area whose lifeblood depends upon adequate governmental action which must precede the release of private enterprise to do the job which we expect it to do in respect to demobilization and reconversion.

I beg of the Senate not to postpone this matter longer. It has been postponed

and postponed and postponed. We have had hearings and hearings and hearings, before multiple committees of both Houses of Congress. The situation does not permit of any further postponement. Time is of the essence. Let us enact S. 1718, which is the result of a total agreement among practically all the agencies and instrumentalities of the Government dealing with this problem. Then let us turn to the problems submitted by the able Senator from West Virginia, and I pledge him my total cooperation, and no recess of the Senate, until action occurs. I pledge him total cooperation in completing this job. But let us not commit the suicidal act of insisting upon all or nothing.

Mr. AUSTIN. Mr. President, as a member of the Committee on Military Affairs of the Senate I wish to oppose the motion for continuance. I sat through the hearings before the special committee, but I wish particularly to call to the attention of the Senate that on April 28 the Military Affairs Committee of the Senate, that is, all those members who were present, unanimously voted to report the pending bill favorably, notwithstanding the fact that there are features of the bill to which certain members have objections. Personally, I have objection to certain features of the bill, and, personally, I am very anxious to have Congress pass upon the other questions to which the distinguished Senators who have preceded me have alluded, and to pass upon them at the earliest possible moment.

I think I speak the sentiment of the committee when I say that if I felt that a few days' delay in the consideration of the pending bill would expedite the consideration and passage of bills covering the remaining points which must be covered, that is, the most controversial ones, I should favor the delay. But the committee considered the whole question of time and of procedure, one Senator offered an amendment to the motion to report the bill which involved the subject of time, and called for speed. That unusual procedure in connection with the report of such a bill was adopted. It was the firm conviction of the committee that speed is of the very essence of this matter.

Why is it so, Mr. President? It is so because we are in the way of progress in this war. Those who have the greatest stake in clearing facilities of their unnecessary machinery and their terminal inventories are in some cases those who are interested in speeding the victory, in getting the war carried through to its end at the earliest possible date.

The pending bill is a war measure. It provides authority to take machines out of one factory and put them into another factory where they can be used, after adaptation to the new type of weapon that is necessary, and for the use of finished goods that constitute parts, and for the use of small tools other than machinery affixed to these facilities. In other words, all of us who have an interest in bringing the war to a conclusion at the earliest possible time are interested in taking care of something that is upon

us daily. It is not merely a post-war question, but is upon us daily. I may exaggerate when I say every day, but I mean to say that currently there are terminations of contracts occurring, and there are cut-backs occurring, which leave the Government with the necessity of having to temporize in the handling of the whole question of financing those contracts which are suddenly ended, to take care of the men who are employed at this time, and all the other problems that are pressed upon us currently, and with respect to which we cannot wait. We must go ahead and provide some measure of preparation, and some policies, and some rules governing the great transaction of clearing the way and getting terminal inventories either stored or transferred to someone else who will use them in the war effort, or sold for private use, and thus benefiting the war effort. We cannot wait.

There is one feature about this bill which is limited to termination of contracts and disposal of terminal inventories, which can be considered and passed at the present time, whereas the other questions cannot.

Mr. KILGORE. Mr. President, will the Senator yield?

Mr. AUSTIN. In a moment I shall yield. Perhaps the distinguished Senator who is now asking to interrupt me may have the answer; but after serving on two committees and hearing presented the interests of labor, the interests of the contractors, and the interests of the Government, I cannot say that I know of a single person who now has a plan for disposal of such surplus properties as these great facilities which have been erected and are now owned by the Government of the United States, or have been financed either in part or in whole by the Government and built by contractors as extensions, or as new plants for the purpose of the war effort. The development of such a plan needs time and study. Therefore is there any reason in the world, except pressure, for postponing the consideration here today of this particular bill which has been carefully worked out and fully considered, and has that great sponsoring to which the Senator from Michigan [Mr. VANDENBERG] has referred? I think it would be unwise from every point of view to postpone the consideration of Senate bill 1718.

I now yield to the Senator from West Virginia.

Mr. KILGORE. Mr. President, after listening to the very able arguments which have been made, in the interest of saving time in the consideration of the bill I should like at this time to withdraw my motion, and I hope that the able Senators who have discussed the matter have carefully read the amendments which have been prepared and printed and are now on the desk of Senators, so they will be able to vote on the amendments when I offer them to the bill.

Mr. MEAD. Mr. President, I feel impelled to make a brief statement in view of the fact that my name has been referred to in the course of this debate. It would be impossible for me, so far as I am personally concerned, to make any

decision whatsoever with reference to the consideration of the so-called poll-tax bill scheduled for next Tuesday. I say that advisedly, Mr. President, because after prolonged conferences in which the majority leader was most considerate and very patient, conferences with the chairman of the Committee on the Judiciary and his associates on that committee, we finally collectively arrived at a decision to take up the bill on Tuesday of next week.

Mr. President, in view of the decision that was reached by a collective group after a series of conferences, it would be impossible for me, without consultation with that group, to make any other arrangement, and I am very happy that the able Senator from West Virginia has withdrawn his motion, and that we will be able to proceed with the consideration of the pending bill.

While I realize the importance of the amendments advanced by the able Senator from West Virginia, I have a keen appreciation of the diligence and the energies expended by the committee headed by the senior Senator from Georgia, and also by the members of the Military Affairs Committee who collaborated in the preparation of the proposed legislation.

But, Mr. President, the bill that will be taken up on Tuesday of next week has been on the calendar for over 20 weeks. It was not taken up before because for a time, at least, it was the opinion of the former chairman of the Committee on the Judiciary, our deceased colleague, Senator Van Nuys, that it should be set aside until important legislation associated with the war effort had been passed upon, and then, when it was agreeable and when no interference could be anticipated, it should be taken up, thoroughly debated, and finally determined upon.

Now, Mr. President, after a series of conferences, that has been done. Senators who are away have been notified. They are making plans to be here, and it would be unfortunate if there were any change made in that schedule. Above all, Mr. President, it would be impossible for me to make a decision affecting an entire group without summoning that group back into conference again. I am very happy to know that suitable arrangements have been made for the progress of the pending legislation.

Mr. GEORGE. Mr. President, I presume that the Senator from West Virginia will be allowed to withdraw his motion. If not, I will ask unanimous consent—

The PRESIDING OFFICER. The Senator from West Virginia has that right, and he has withdrawn his motion.

Mr. GEORGE. I want to express appreciation to the Senator from West Virginia, though he seems not to be in the Chamber at the moment, and again to assure him that there will be no let-up in the work upon the other questions involved in the general reconversion program, or in the full appreciation of the complete importance of every phase of it.

At this time I wish to say, Mr. President, with respect to the pending bill that

it really was produced by the distinguished junior Senator from Montana [Mr. MURRAY]. I am sure there is no stronger friend of labor in this body or in this country, and no one more interested in providing a cushion for the worker during the period of transition from war to peace, and I am quite sure he will give the same untiring labor and energy to the solution of the other phases of the reconversion problem that he has given to this phase.

I merely wish to point out at this time the fact that the Special Committee to Study and Survey Problems of Small Business Enterprises, of which the distinguished junior Senator from Montana is chairman, worked upon this problem from the beginning, and did so concurrently with the Special Committee on Post-war Economic Policy and Planning. Both as a member and as chairman of that committee, and as a member of the Committee on Military Affairs, and chairman of the subcommittee in charge of this legislation, and as an ex-officio member—because by invitation he was made such—of the Special Senate Committee on Post-war Economic Policy and Planning, the Senator from Montana [Mr. MURRAY] has performed what I believe to be a magnificent service to the country in advancing our reconversion program thus far.

Mr. President, as a part of my formal statement, I should like to have printed in the RECORD a report on cancellation of war contracts which I submit from the Special Committee on Post-War Economic Policy and Planning, particularly the recommendations made to the Committee on Military Affairs on Senate bill 1718; and I ask unanimous consent for that purpose.

There being no objection, the report (No. 539, pt. 3) was ordered to be printed in the RECORD, as follows:

On February 11, 1944, Senators MURRAY and GEORGE jointly introduced S. 1718, a bill to provide for the settlement of claims arising from terminated war contracts, and for other purposes. The bill was referred to the Senate Military Affairs Committee and by that committee referred to its War Contracts Subcommittee, composed of Senators MURRAY (chairman), TRUMAN, and REVERCOMB.

The bill resulted from general studies of the subject by the Special Committee on Post-War Economic Policy and Planning and by the War Contracts Subcommittee of the Military Affairs Committee.

At the request of the War Contracts Subcommittee this committee has continued its study of the subject, with special reference to the detailed provisions of S. 1718. The staff of this committee has held many conferences with various interested business groups and with the various contracting agencies, in an effort to reconcile the views of those groups, and secure a bill that gives the greatest recognition to the problems of each of them.

The information gained in all of these conferences and studies has been carefully considered by this committee.

It has concluded, in view of the speed with which contracts are being terminated, and the legal obstacles in the way of their settlement, that it is imperatively necessary that legislation dealing with the subject be passed at the earliest possible moment and that such legislation not await the solution of other problems of demobilization.

The committee has considered many amendments to S. 1718, most of which are merely clarifying, but some of which go to the substance of the bill. The amendments which the committee recommends are shown in the copy of the bill attached to this report as an appendix, the deleted matter being lined out and the new matter being inserted in italics.

The reasons for these suggested changes are as follows:

DEFINITIONS

Section 3: The changes recommended in subsections (b) to (k) are merely clarifying. Subsection (l), dealing with termination inventory, was added for reasons that will more fully appear in the explanation of the changes under section 12. Subsection (m) was added merely to avoid repetition in the body of the bill.

DIRECTOR OF CONTRACT TERMINATION SETTLEMENT

Section 4 (a): It was felt that the activities of the Office of Contract Settlement should be coordinated with other mobilization and demobilization activities and that the most feasible way to do this was to place that office in the Office of War Mobilization.

Sections 4 (b) and (c): Certain functions under the act are made the primary responsibility of the Director and certain others are left the primary responsibility of the contracting agencies. This committee believes that the Director can render the greatest service if he keeps himself entirely free from operational duties and that, wherever operational duties are imposed upon him, he should conduct the operations through established agencies of Government to the greatest extent feasible. This committee is convinced that the mechanics and operations in the settling of contracts, the clearing of plants, and interim financing can best be performed by the contracting agencies themselves and the duties of accomplishing these objectives are imposed primarily on those agencies. In relation to those duties the Director should (a) see that uniform standards are laid down for their exercise, (b) require the exercise by the agencies of those duties, responsibilities and discretions in proper classes of cases where they might otherwise not be exercised, and (c) restrict their exercise by the agencies in proper classes of cases.

The suggested sections (b) and (c) seem to this committee to state more clearly this purpose than section 4 (c) of the original bill. Section 4 (b) of the original bill has been incorporated as a part of 4 (d), to indicate more clearly that it is intended to be a limitation on the employment of personnel by the Director.

As a result of the language of the suggested section 4 (c), references throughout the rest of the bill to "regulations of the Director," "policies prescribed by the Director," etc., are deleted. The language of the suggested section 4 (c) makes repetitive all such references that have been deleted.

SETTLEMENT OF TERMINATION CLAIMS

Section 6 (a): The changes recommended in this subsection are merely for clarification.

Section 6 (b): The change in the first sentence of this subsection is recommended to make it plain that a part of a termination claim may be settled by agreement, without the settlement of the whole. The first change in the second sentence is merely clarifying. The second change in that sentence is made because of the addition of the definition in section 3 (m). The remaining changes, except the deletion of the words "submits to arbitration", are merely clarifying. The reference to arbitration was omitted because of recommendations for changes in the arbitration provision which will be discussed later in this report.

Section 6 (c): This committee felt that 2½ percent per annum, in view of the present money rates, was a more equitable rate of interest. It was felt that the change in the period for the beginning of the payment of interest was more definite and would not penalize contractors who might experience difficulties and delays in getting their claims filed. It also felt that interest should not be paid, in the case of an unsuccessful appeal, where the contractor could have had his money without such appeal. The other changes in this subsection are merely clarifying.

Sections 7 (a) and (b): All the changes in these sections are merely for clarification.

Section 7 (c): This section as originally drawn made the supervision over payments to prime contractors on account of termination claims of subcontractors mandatory. It is not believed that this is necessary or desirable in all cases. The provision is made permissive, having in mind that the Director under the proposed section 4 (b) (3) has the power to make it mandatory.

Section 7 (d): The contracting agencies felt that the problems of group settlement were so complex that the Director should be required to consult with them before assigning claims of one to the other. This provision imposes no limitation on the Director's power and it seemed to the committee a reasonable request. An addition has also been recommended to the section to make it plain that settlements made by one agency of group claims would be binding on all agencies.

Section 7 (e): The first italicized sentence was added to facilitate settlements with subcontractors. It was felt that, if the contracting officer had to ascertain that the total of all payments made to subcontractors and the prime contractor would not exceed the amount which might be due under some limitation in the prime contract, settlement directly with subcontractors would be impossible. Among such limitations are provisions that the total to be paid the prime contractor, under no circumstances, could exceed the contract price, and provisions for set-offs. It is recognized that this policy may result in the Government paying more in settlement than would be paid if all settlements were made through the prime contractor, but the committee believes that in many instances it will be so necessary to settle directly with subcontractors that this risk should be taken.

The second italicized sentence was added to enable the subcontractor to know definitely when he would be dealt with by the contracting agency, so that he could not be shunted back and forth between the prime contractor and the contracting agency, and to prevent the subcontractor's pursuing his common law remedies for additional amounts against the prime contractor, after accepting any benefits that he might derive from direct dealings with the Government.

Section 7 (f): The committee feels that this section should be deleted. As it is written, it makes payments to subcontractors who are deprived of fair compensation through the insolvency, bankruptcy, or default of a prime contractor, entirely permissive, and prescribes no yardstick for the contracting agencies or the Director to determine when and in what circumstances the Congress intends that these payments should be made. If any comparable section is put into the act, the Congress should clearly prescribe the situations and the terms and conditions under which the payments should be made. Much can be said for the proposition that a subcontractor should be protected where, through the exigencies of war, he has been compelled to extend credit to financially weak prime contractors over and above the amount to which good business judgment would indicate the prime contractor was entitled. On the other

hand, many subcontractors have sold these financially weak prime contractors at higher prices than they would have received from one in good credit standing. Many have sold them from choice, because of the profits involved. To permit these subcontractors to retain those additional profits or to protect them in cases in which they have sought such business cannot be justified. Unless some means can be found to limit the operation of this section to cases in which the subcontractor has acted solely in the service of his country, it should be deleted entirely.

Section 8: This committee, in its report to the Senate, dated February 9, 1944 (S. Rept. 539, pt. 2), made the following statement:

"The committee recommends the immediate payment of the contract price for all finished goods on hand; the immediate payment of 100 percent of the direct cost of all inventories of raw materials and partially processed goods in the hands of the contractor, and as large a percentage, up to 90 percent, of all other items in the claim as the contracting agency feels will afford the Government reasonable protection.

"Where the detailed ascertainment of the direct cost of inventories is apt to cause delay, the procuring agency should be authorized to make advance payments and partial payments up to 90 percent of the estimated total amount due on terminated contracts and subcontracts or groups thereof, and should be authorized to base the estimates on such certificates of the contractor or on such other evidence as they deem sufficient, or as may be prescribed by the Office of Demobilization."

It has not changed its opinion in this regard. At the same time, it has been unable to ascertain any practicable means of making these recommendations mandatory by legislation.

The original section 8 in subparagraph (b) made mandatory the payment of 90 percent of the amount of the termination claim of a war contractor, after certain deductions. It should be borne in mind that this was not 90 percent of the amount estimated by the contracting agency to be due. It was recognized that, in good conscience, in many cases, advances could not be made merely on the contractor's statement. It was recognized that ability to do this would vary with the type of items included. In 8 (c), the Director was given the power to prescribe the classes of cases in which this would not be mandatory, but he was given no basis for determining when he should exercise this power. The original sections, in effect, held out false hopes of payment without checking, and the committee felt that the benefits to be derived were illusory.

In its report of February 9, this committee recommended that the Director be given power to make this interim financing mandatory upon the contracting agencies and the suggested section 8 (b) follows this recommendation and takes the place of the original sections 8 (b) and (c). The committee believes that the suggested amendments are a more realistic approach to the matter. The Director should understand clearly that it is the intention of the Congress to get money into the hands of contractors within the 30 days provided in section 8 (a) but that the burden is placed upon him to work out methods suited to the variety of cases that will be presented.

The suggested 8 (c) takes the place of the deleted portion of the original 8 (d).

This committee feels that the penalty provided in the original 8 (d) is a necessary corollary to the rather summary methods of financing provided in the preceding subsections of this section. However, it feared that such inflexible provisions would impose a severe obstacle to interim financing and would cause contractors to refrain from requesting it for fear they would not be able to estimate their claims accurately. The

substitute section 8 (c) contemplates that the director would provide for the breaking down of applications into indisputable factual items and items that might well be debatable, possibly paying the first on a certificate of the contractor and making the penalty applicable to that portion of the interim financing. While the power to impose the penalty should remain, it should not be permitted to interfere with proper interim financing.

Section 8 (e): This section was changed to make the use of advance payments for termination expenses merely permissive, rather than mandatory. It was pointed out to the committee that such use might, in some instances, result in the contractor getting more from the Government than the amount to which he would be entitled. This committee cannot foresee what the result might be in any given case if such use were made mandatory.

Section 8 (g): This section is suggested to make it plain that the contracting agencies have the power to make settlements necessary to clean up interim financing problems which may be left after the settlement of the termination claims and to validate any interim financing which has previously been made, and which is not inconsistent with the provisions of this act.

All other amendments suggested in section 8 are merely clarifying.

Section 9 (a): An addition is made to this section to make it clear (a) that partial payments may not be final and that where they are not, the provisions for repayment set out in subsection (b) of this section will be preserved, and (b) that there may be partial final settlements.

Section 9 (b): It is suggested that the interest provision should be inserted in this section. The other changes are merely clarifying.

Section 10: The suggested changes in this section are merely clarifying.

Section 11: This committee believes that the original provisions of section 11 went too far in attempting to provide war contractors with notice of termination and that the retention of this section would result in the production of much unnecessary material. The words "to the fullest extent feasible" in subsection (b) (1), which were intended to be limiting, do not in fact limit the operation of this section. If the Government is willing to produce unnecessary goods, it would always be feasible to provide the notice, but providing it, in many instances, would result in 30 days of unnecessary production.

Being completely in accord with the purpose of the section, this committee feels that its suggested substitute is as far as the Congress, as a matter of policy, should go.

Subsection (c) is designed to relieve contractors of the burden of stop orders which are not followed by terminations. The contracting agencies objected very strongly to subdivision (2) of this subsection, but it was believed that the rights given the contractor there would prevent mere inertia on the part of the contracting agencies. On the other hand, if there were any real reason for the cessation without termination, the contracting agencies, under their powers under the Selective Service Act, could prevent the use of this privilege.

REMOVAL AND STORAGE OF MATERIALS

Section 12: The original subsection (b) of this section attempted to set out all of the provisions with reference to removal of materials. The suggested substitute subsections (b), (c), (d), and (e) accomplish the following:

(a) provide much more detailed instructions for the exercise of the authority conferred;

(b) provide 60 days instead of 30 days for the removal of the inventories, to meet the views of the contracting agencies as to their ability to act;

(c) make a proper distinction between goods removed that may be allocable to terminated war contracts and those that may be found not to be allocable;

(d) provide the contractor with a prima facie correct inventory of goods removed, in the event the Government does not act expeditiously;

(e) establish the measure of liability of the Government to the contractor for such inventory;

(f) provide for the termination inventories reaching the proper disposal agencies.

Subsection (c) should be stricken as directly contrary provisions are contained in the suggested subsection (e). The committee feels it vitally necessary that the Director should have power to take physical possession of these inventories and channel them into the proper disposal agencies, rather than leaving the power of disposition to the various contracting officers, as is the case today.

Suggested subsection (f) is new. It was inserted because of complaints that the contracting agencies were delaying settlement of termination claims pending the disposal of inventories by the contractor.

Subsection (g) is new. It provides for the removal of Government machinery that may be stored in any privately owned plant. While machinery probably was included in the definition of "materials" used in the original draft, it may become necessary to remove machinery on account of the completion of a contract rather than its termination, and because of the different conditions applicable, it was felt better to separate the provisions.

Suggested subsection (h) was inserted to make perfectly certain that the use of termination inventories for war purposes would not be interfered with.

Suggested subsection (i) was inserted because of the possible inference that the war contractor may be prevented, by this section, from removing termination inventories at his own risk prior to the time provided for a check by the Government.

The original appeals provisions in S. 1718 followed exactly the recommendations of this committee in its report of February 9. Upon further study it was believed that the mandatory submission of claims to arbitrators and umpires scattered throughout the country would result in a great lack of uniformity in settlements and would take more of the time of the personnel of the contracting agencies than could be justified, without corresponding benefits to the war contractors.

Consequently the committee felt that it was better to provide for a larger appeal board and provide for its holding hearings throughout the country, abolishing the provision for umpires and providing for arbitration only by agreement.

In the suggested section 13 (a) the time within which findings were made mandatory was extended from 60 to 90 days. The contracting agencies universally felt that if a shorter time was provided an unnecessarily large number of cases would go to appeal without findings.

It is suggested that subsection (b) be amended to make it clear that appeal could be had where the decision went only to a portion of the claim.

In subsection (b) (2) an amendment is suggested to preserve State court jurisdiction over the Reconstruction Finance Corporation and its subsidiaries.

Suggested subsection (c) (1) would permit reviews within the contracting agency—to give higher authority in the contracting agency an opportunity to revise the findings of the contracting officers.

The suggested changes in subsection (c) (2) are merely clarifying.

The suggested changes in subsection (c) (3) are designed to prevent appeals before a fair effort is made to reach a settlement in the agency.

Subsection (d) effectuates the change in the appeal method resulting from the elimination of umpires and mandatory arbitration.

Subsection (e) provides for permissive arbitration in lieu of the mandatory provision which it is suggested be stricken.

It is suggested that subsection (f) be amended to make settlements, under the method provided, between war contractors binding on the United States.

COURT OF CLAIMS

Section 14 was prepared by the Department of Justice. The officials of that Department have promised to submit to the Military Affairs Committee some suggestions for its improvement and, in view of this, this committee expresses no opinion in reference to it.

PERSONAL FINANCIAL LIABILITY

Section 15: The changes in this section are merely clarifying.

THE GENERAL ACCOUNTING OFFICE

Section 16: This committee was advised by the staff of the War Contracts Subcommittee that these suggested changes were in accordance with suggestions made to that subcommittee by the Comptroller General. They are satisfactory to this committee.

DEFECTIVE, INFORMAL, AND QUASI CONTRACTS

Section 17: The changes in section 17 (a) were made to make it clear that this section applied only to situations in which there was not a valid contract. Valid contracts are covered by the other sections of the act.

Other changes in this section are merely clarifying.

RECORDS, FORMS, AND REPORTS

Section 18: The purpose of the suggested changes in subsections (a) through (c) are so obvious as not to require explanation.

The suggested substitute section (d) was prepared to meet certain objections of the Department of Justice. The committee understands that it does not meet those objections and that the Department of Justice will wish to make certain other representations to the Military Affairs Committee.

PRESERVATION OF RECORDS; PROSECUTION OF FRAUD

Section 19: This section was prepared by the Department of Justice. Officials of that Department informed this committee that they wished to make certain changes in the section but were not ready to present them to this committee. This committee recommends certain changes which appear in the appendix. The purpose of these changes is obvious and they should be included in any suggestions for change made by the Department of Justice. It is believed that the provision for preserving microfilm copies of records would greatly relieve the burden on war contractors imposed by this section.

GENERAL PROVISIONS

Section 20: The changes made in subsections (a) through (e) are merely clarifying.

Suggested subsection (f) should be added to make it possible for employees of the contracting officers to assist contractors in preparing claims.

OTHER FUNCTIONS OF THE DIRECTOR

Section 21: No changes are suggested in this section.

USE OF APPROPRIATED FUNDS

Section 22: The suggested changes in this section are merely clarifying.

DELEGATION OF AUTHORITY

Section 23 (a): It is suggested that this section be amended to limit any general delegation of authority, except to deputy directors. The suggested amendment permits delegation to department heads, upon such terms and conditions as the Director may prescribe, where it is necessary to the handling of problems peculiar to that agency, but prevents such delegation in the handling of problems common to more than one contracting agency.

APPLICABILITY

Section 24 (a): It is suggested that this section be added to make it clear that settlements once made shall not be reopened for the purpose of applying the sections listed therein.

Subsection (b) should be inserted to prevent any interference with the operation of the lend-lease acts.

Section 25 is suggested to enable the Director to exclude from the provisions of this act contracts performed abroad.

SEPARABILITY OF PROVISIONS

Section 26: It is felt that this section should be added.

CONCLUSION

This committee believes that consideration has been given to every possible phase of contract termination and that there is no reason for delaying this legislation for further hearings or for any other reason.

It strongly urges careful consideration be given to the amendments herein suggested and that S. 1718, as amended, be favorably reported to the Senate at the earliest possible time.

This recommendation should in nowise be construed as representing any belief on the part of this committee that the settlement of the other problems of reconversion should be delayed. It believes very strongly that the Congress should move forward at the earliest possible moment with the plans for setting up an Office of Demobilization with policies for the disposition of surplus property and plants and the plans for human demobilization. The recommendation that S. 1718 be reported out immediately, without waiting for the fruition of the other plans, is based on the conviction that termination legislation is needed now and legislation on the other subjects must await further consideration and study.

Mr. GEORGE. Mr. President, in this connection, I should like to say that, while all the recommendations made by the Committee on Post-war Economic Policy and Planning were accepted, in the main the provisions contained in the bill as it came from the Committee on Military Affairs are agreeable, and have the approval, certainly, of myself, as co-author of the bill, and of all other members of the Committee on Post-war Economic Policy and Planning with whom I have had opportunity to confer.

In one respect the provisions of the bill, as originally prepared and recommended by the Committee on Post-war Economic Policy and Planning, are not followed in the provisions of Senate bill 1718. I refer particularly to the fact that the Committee on Post-war Economic Policy and Planning recommended that the Director of Contract Settlement be made a member of the War Mobilization Board. The Committee on Military Affairs in its report on the bill has recommended the creation of a separate agency, so as to make the director an independent and separate agent. But substantially no conflict can arise, and

that was the reason why the Committee on Post-war Economic Policy and Planning made its recommendations. It did so in order to avoid any possibility of conflict; because, of course, the President, who would be authorized to appoint the Director, may appoint the Director who now is engaged in the executive organization with this particular work.

Mr. President, I ask unanimous consent to have printed in the RECORD, two statements, one from the War Department, and the other from the Navy Department, showing the outstanding contracts. In the case of the War Department's statement, both the number and the amount of money involved in such contracts which are subject to cancellation at some period are shown, as well as the corresponding figures for those that have been canceled and have been partially adjusted. I also submit a similar statement from the Navy Department.

There being no objection, the statements were ordered to be printed in the RECORD, as follows:

ARMY CONTRACTS

Now in effect, approximately 100,000 prime contracts; value, \$43,000,000,000; approximately 1,000,000 subcontracts.

Canceled to March 31: 21,774 contracts; uncompleted value, \$13,075,452,000.

Settled, 15,917 contracts; without claim, 12,252; uncompleted value, \$2,556,530,000; with claim, 3,665; uncompleted value, \$1,777,426,000.

Total uncompleted value of settled contracts, \$4,333,956,000.

Paid out in settlement, \$112,514,000, which is 76.5 percent of the amount claimed.

NAVY CONTRACTS

Value now in effect, \$34,000,000,000; of this five billion, cost-plus-fixed-fee; twenty-nine billion, fixed price.

Canceled to March 31: 4,000 contracts; uncompleted value, \$4,000,000,000.

Out of 4,000 canceled, only 800 will result in payments; of those 800, 200 are already settled, leaving 600 to be settled.

Settled without claim, 3,200 contracts; with claim, 800 contracts; estimated amount of claims, \$120,000,000.

Mr. TAFT. Mr. President, will the Senator yield for a moment?

Mr. GEORGE. I yield.

Mr. TAFT. I wish to ask an additional question. Is it not also true that the provisions of the pending bill are in substantial accord with the Baruch-Hancock report dealing with the same subject of the termination of contracts, which report was universally commended throughout the United States?

Mr. GEORGE. The Senator from Ohio is correct. In the Baruch-Hancock report this particular bill was expressly approved.

Now, Mr. President, I gladly yield to the Senator from Montana [Mr. MURRAY], who is the real author of the pending bill.

Mr. MURRAY. Mr. President—

Mr. KILGORE. Mr. President, will the Senator yield to me?

Mr. MURRAY. I yield.

Mr. KILGORE. At this time I offer the amendments to Senate bill 1718, which have been printed and furnished to each Senator.

The PRESIDING OFFICER. Does the Senator from West Virginia desire to

have the amendments read or to have them printed in full in the RECORD?

Mr. KILGORE. I should prefer to have them printed in the RECORD.

The PRESIDING OFFICER. Is there objection?

There being no objection, the amendments were ordered to be printed in the RECORD, as follows:

Amendments intended to be proposed by Mr. KILGORE to the bill (S. 1718) to provide for the settlement of claims arising from terminated war contracts, and for other purposes, viz: On page 37, after line 9, insert the following:

"TITLE I—DEVELOPMENT AND EXECUTION OF WAR MOBILIZATION AND POST-WAR ADJUSTMENT PROGRAMS

"SEC. 101. The Congress hereby declares that the objectives of this act are—

"(a) To achieve the necessary war production which is indispensable to the speediest victory through the maximum mobilization and utilization of the Nation's natural and industrial resources and of the manpower not in the armed forces, and through the wartime stabilization of the civilian economy;

"(b) To insure that the great momentum of the war mobilization which is bringing victory to our arms will not be lost, but will be reconverted into a peacetime transition program providing for full production, full employment at adequate wages, and full consumption in a steadily expanding civilian economy with rising standards of living for all; and

"(c) To provide for the development of a unified program to secure the foregoing objectives, and the necessary coordination of the activities of the Federal agencies engaged in or concerned with: Production, procurement, distribution, or transportation of military or civilian supplies, materials, and products; economic stabilization; war production cut-backs; settlement of claims under terminated war contracts; disposition of surplus war property; resumption and expansion of civilian goods production; the training and placement of returning servicemen and civilian workers in war and peacetime industry and agriculture; and other programs affecting war mobilization and peacetime production and employment.

"SEC. 102. (a) There is hereby established the Office of War Mobilization and Adjustment (hereinafter called the Office), at the head of which shall be the Director of War Mobilization and Adjustment. The Director shall be appointed by the President, with the advice and consent of the Senate, and shall receive compensation at the rate of \$15,000 per annum.

"(b) There is hereby established in the Office a Bureau of Programs headed by a Chief, who shall be appointed by the President, with the advice and consent of the Senate, and shall receive compensation at the rate of \$12,000 per annum.

"(c) The following Administrations are hereby created within the Office of War Mobilization: (1) The Surplus War Property Administration; (2) the Contract Settlement Administration; (3) the Retraining and Reemployment Administration. Each of these Administrations shall be headed by an Administrator, appointed by the President, with the advice and consent of the Senate; and each shall receive compensation at the rate of \$12,000 per annum.

"(d) The Director, the Chief of the Bureau of Programs, and the several Administrators, except as herein otherwise provided, may employ and fix the compensation and define the authority and duties of such officers and members, and may make such expenditures for supplies, facilities, and services as may be necessary to carry out the provisions of

this act. All appointments shall be made in accordance with the provisions of civil-service laws and regulations and Classification Act of 1923, as amended, except that expert technical and professional personnel may be employed without regard to these laws and regulations where deemed desirable by the Director, the Chief of the Bureau of Programs, or the several Administrators, as the case may be.

"Sec. 103. (a) It shall be the function of the Director, subject to the direction and control of the President—

"(1) to unify the programs and activities of Federal agencies engaged in or concerned with: Production, procurement, distribution, or transportation of military or civilian supplies, materials, and products; economic stabilization; war production cut-backs; settlement of claims under terminated war contracts; disposition of surplus war property; resumption and expansion of civilian goods production; the training and placement of returning servicemen and civilian workers in war and peacetime industry and agriculture; and other programs affecting war mobilization and peacetime production and employment; and

"(2) to issue such directives on program, policy, and operations to the Federal agencies as may be necessary to carry out the programs developed and the policies established by the Office under this act. It shall be the duty of all such agencies and departments to execute such directives, and to supply such data and make such progress reports to the Office as the Office may require.

"(b) The Office may perform the functions, exercise the powers, authority, and discretion conferred on it by this act through such officials and such agencies and in such manner as the Director may determine.

"Sec. 104. It shall be the function of the Chief of the Program Bureau, subject to direction and control of the Director—

"(1) to review the programs of the several Federal agencies which are subject to the direction of the Office and to recommend to the Director such modifications as are deemed necessary to assure fulfillment of the objectives of this act;

"(2) to make periodic progress reports to the Director which shall assess current performance on approved programs;

"(3) to require Government agencies performing functions under this act to prepare such data and reports as are necessary to permit the review of the programs and the making of the progress reports required in this section;

"(4) to evaluate and report on current and projected public and private activities affecting war mobilization and peacetime full production and employment, and survey continuously the necessity for additional programs or legislation as will achieve the objectives of this act. The surveys shall include (without being limited thereto) programs and measures for public works, housing, taxation, industrial and regional development, expansion of foreign trade, social security, and the maintenance of competitive enterprise; and

"(5) to consult and cooperate with State and local governments, industrial, labor, agricultural, and other groups (national and local) concerning the fulfillment of the objectives of the act.

"(b) The Office shall transmit to the Senate and House of Representatives within 3 months after the approval of this act and thereafter at intervals not exceeding 3 months a summary of the progress reports, program reviews, surveys, and legislative and other recommendations prepared by the Bureau.

"Sec. 105 (a) There is hereby created within the Office a National Production-Employment Board (hereinafter called the Board) consisting of three representatives of indus-

try, three representatives of labor, three representatives of agriculture, and three representatives of the consuming public, who shall be appointed by the President: *Provided*, That each member of the Board may designate an alternate to sit and act for him. The Board shall elect a chairman from among its own members and shall, by a majority vote of its members, determine its rules of procedure, except as otherwise defined by this act, and the powers conferred on the Board by this act may be exercised by a majority vote.

"(b) It shall be the general function of the Board, and each member individually, to endeavor to secure maximum cooperation and participation of the American people in war mobilization and post-war adjustment, and to provide the Office with such advice and guidance as the members deem will promote the objectives of this act. The Board and each individual member thereof shall have full access to all data in the Office bearing on the effectiveness and adequacy of war mobilization and post-war adjustment.

"(c) The Chief of the Bureau of Programs shall serve as the executive secretary of the Board. He shall prepare, under the direction of the Board, such reviews of programs, reports, and studies as the Board may request, and for these purposes shall exercise on behalf of the Board the full facilities of the Office and the powers conferred on the Office by this act. The Board may make to the Congress, to the Director, the several administrators of the Office, and to other Federal officials performing functions subject to the direction of the Office, such recommendations relating to legislation, policy, and operations as it may deem necessary to fulfill the purposes of this act. All such recommendations and all reports and studies issued by the Board shall be supplemented by such statements or comments as any individual member may wish included.

"(d) The Director, the several administrators of the Office, the Chairman of the War Production Board, and such other Federal officials performing functions subject to direction by the Office as shall be designated by the Board, shall meet with it at least once a month and shall consult and advise with it on all basic policies and programs which are subject to direction by the Office;

"(e) All Federal agencies performing functions subject to the jurisdiction of the Office shall, with respect to policies, programs, and operations affecting industrial segments or geographical areas, consult and advise with joint councils which shall be representative, in the particular area or industrial segment, of industry, large and small, labor, and wherever appropriate, agriculture. All such industrial segment or area joint councils shall be appointed by the Director, with the advice and consent of the Board.

"(f) All appointments of members or alternates to the Board, and of members of the area and industry to the joint councils, may be made without regard to any of the provisions of law with respect to the appointment and compensation of employees of the United States. Members and alternates of the Board and of the joint advisory councils shall serve without remuneration, except for per diem allowances as shall be prescribed by the Director, not to exceed \$25 each day spent in the actual performance of duty, plus necessary traveling and other expenses incurred while so engaged.

"(g) The Office shall provide for the Board an adequate technical and clerical staff which shall serve under its immediate supervision. The Director shall appoint, with the advice and consent of the consumer representatives, a consumer's counsel who shall, together with such staff as he may need, serve under the supervision of the consumer representatives in providing the Board with full information on the effect of current and projected programs and policies on consumer interests.

"TITLE II—WAR PRODUCTION CHANGES AND RECONVERSION

"Sec. 201. Subject to the direction and control of the Office, the Chairman of the War Production Board shall—

"(a) Review the military production programs of the several Federal procurement agencies for the purpose of coordinating such programs and synchronizing curtailments with the resumption of civilian goods production;

"(b) Establish unified policies and programs for the expansion, transfer, and curtailment of military production and for the resumption and expansion of civilian production covering specific products, firms, industry segments, and geographical areas;

"(c) Develop programs for the curtailment of military production and industrial reconversion based upon assumed military developments on stated dates.

"Sec. 202. The Chairman of the War Production Board, or the official to whom he shall delegate the authority and responsibilities set forth in section 201, shall advise and consult with a Production Program and Reconversion Committee, which shall consist of one representative each of the following: War Department, Navy Department, State Department, Maritime Commission, Foreign Economic Administration, War Manpower Commission, Office of Price Administration, Smaller War Plants Corporation, Office of Civilian Requirements, the Vice Chairman for Labor Production and Manpower Requirements, and such other representatives of such Federal agencies as the Chairman of the War Production Board may designate.

"Sec. 203. In order to enable the War Production Board effectively to discharge its responsibilities under this title, each Federal procurement agency shall continuously survey its material and product requirements and shall report to the War Production Board as soon as practicable every projected change in its procurement program, including the award of new contracts and the modification, transfer, or termination of contracts previously awarded. The procurement agencies shall supply such other data as the War Production Board shall require for the purpose of this title. The procurement agencies shall maintain such records and make such reports to the War Production Board as the Board may require to appraise the compliance of the procurement agencies with the programs and policies established by the Board.

"Sec. 204. In formulating programs and policies for war production and reconversion, the War Production Board and the Production Program and Reconversion Committee shall, so far as practicable, give effect to the following objectives:

"(a) Necessary war production for our armed forces and those of our allies shall be expedited and maintained without impairment.

"(b) Curtailments of war production shall be programed so as to permit the utilization without delay of the released manpower and facilities in the production of other war products or civilian goods.

"(c) Resumption and expansion of production of specific civilian items shall, so far as practicable, be in the order of essentiality to the domestic civilian economy and to the needs of reconstruction abroad.

"(d) Subject to the overriding requirements of war production, full consideration shall be given to the production and manpower resources of the industrial segments, geographic areas, and concerns affected by curtailment and reconversion programs. The small business contractor shall not be discriminated against in the termination of contracts because of slightly higher costs of production, nor shall small business concerns, if war contracts are not available to them, be prevented from entering civilian

goods production fields merely because larger concerns in the same fields are still engaged in war production. Resumption of civilian goods programs shall give particular consideration to smaller business concerns, especially in those fields which have been most adversely affected by the necessities of war production.

"Sec. 205. The Chairman of the War Production Board may establish special boards for the purpose of hearing appeals from decisions of the War Production Board with respect to production curtailment and reconversion on the grounds of discrimination.

"TITLE III—DISPOSITION OF SURPLUS WAR PROPERTY

"Sec. 301. It shall be the function of the Administrator of the Surplus War Property Administration (hereinafter in this title referred to as the Administrator and Administration, respectively), subject to the direction and control of the Director—

"(a) To handle and dispose of surplus war property upon such terms as he shall deem necessary, subject to the provisions of this act;

"(b) To have general supervision and direction of the transfer of any surplus war property in the possession of any Government agency to any other Government agency;

"(c) To assign surplus property for disposal by the fewest number of Federal agencies practicable and to centralize in one disposal agency responsibility for the disposal of all property of the same type or class;

"(d) To prescribe regulations and issue directives necessary to provide, so far as practicable, for uniform and wide public notice concerning surplus property available for sale, and for uniform and adequate time intervals between notice and sale so that all interested purchasers, large and small, shall have a fair opportunity to buy; and

"(e) To prescribe regulations and issue directives necessary to effectuate the provisions of this title; and no Government agency shall transfer or dispose of surplus war property in contravention thereof.

"Sec. 302. The Administrator shall regularly advise and consult with a Surplus War Property Committee. The committee shall be composed of one representative each of the State Department, Treasury Department, War Department, Navy Department, Justice Department, Reconstruction Finance Corporation, Smaller War Plants Corporation, United States Maritime Commission, War Production Board, Office of Price Administration, Bureau of the Budget, War Food Administration, Federal Works Agency, Civil Aeronautics Board, and the Foreign Economic Administration.

"Sec. 303. Each Government agency shall submit to the Administrator such information and reports with respect to surplus war property in such form and at such times as the Administrator shall direct. When requested by the Administrator, a Government agency shall execute such documents for the transfer of title or for any other purposes or take such steps as the Administrator shall determine to be necessary or proper to transfer or dispose of surplus war property or otherwise to carry out the provisions of the act.

"Sec. 304. In formulating regulations and directives governing the handling and disposition of surplus war property, the Administrator and Committee on Surplus War Property shall give effect to the following objectives:

"(a) Aid maximum war production by facilitating the transfer of property which may be surplus in one Government agency to meet the requirements of other Government agencies;

"(b) Promote full production and employment of labor and natural resources in all sections of the country;

"(c) Aid small business concerns to achieve and maintain maximum production and to preserve and strengthen their competitive position in an economy of free enterprise;

"(d) Aid ex-servicemen to establish and maintain their own small business enterprises;

"(e) Avoid economic dislocations resulting from uncontrolled dumping of such surpluses;

"(f) Discourage monopolistic practices and insure fair prices to the consumers;

"(g) Sell such surpluses in such quantities and on such terms as will discourage disposals to speculators or for speculative purposes;

"(h) Establish and develop foreign markets through the programed exports of such surpluses; and

"(i) Obtain the highest return for the Government consistent with the foregoing objectives.

"Sec. 305. The Administrator may perform the functions and exercise the powers, authority, and discretion conferred on the Administration by this act by such officials and such agencies and in such manner as the Administrator, subject to the provisions of this act, may determine. In carrying out the purposes of this act, the Administration may utilize the services of any other Government agency.

"Sec. 306. Each disposal agency, immediately upon assignment thereto of any surplus property and before undertaking disposal to the public, shall transmit detailed inventories thereof to the Bureau of the Budget, the Smaller War Plants Corporation, and the Foreign Economic Administration, which agencies shall have priority in acquiring such surplus for the purposes and in the order and manner following:

"(a) The Bureau of the Budget shall have the right to acquire any surplus property for transfer to any Government agency which needs it. Such transfer shall be made upon such terms and with such charge to the appropriation of the transferee for the value thereof as the Bureau of the Budget shall prescribe in accordance with existing law.

"(b) The Smaller War Plants Corporation, subject to the authority of the Director, shall have the right to acquire any surplus property for sale or other transfer to small business when in its judgment such acquisition is required to carry out the policy of the act to preserve and strengthen the competitive position of small business.

"(c) The Foreign Economic Administration shall have the right to acquire any surplus property in the United States for sale or other transfer abroad in such quantities as the head of the agency charged with the disposal of such property and the Foreign Economic Administration shall agree upon.

"Sec. 307. The Administrator may prescribe regulations to provide for the disposition of surplus property to States, political subdivisions thereof, and tax-supported institutions as follows:

"(a) Surplus property which has been acquired by the Federal Government for school, classroom, or other educational use may be transferred to the Office of Education in the Federal Security Administration for donation to tax-supported educational institutions.

"(b) Surplus property for which the estimated cost of handling, storage, and sale would exceed the estimated proceeds of commercial sale, may be donated to States, political subdivisions thereof, or tax-supported institutions.

"(c) Any surplus property may be sold or leased to States, political subdivisions thereof, or tax-supported institutions at discounts not to exceed 50 percent of the sale or lease value thereof, as the case may be.

"Sec. 308. (a) Whenever surplus property proposed for sale or other transfer to private interests shall comprise a plant or group of

plants or other property representing an original cost to the Government of \$1,000,000 or more, the Administrator, before consummating the sale or transfer, shall cause to be published in the Federal Register the terms and other pertinent circumstances of the proposed sale or transfer and shall request the Attorney General to render an opinion in writing whether, in his judgment, the proposed sale or transfer will encourage monopoly or undue concentration of industry or commerce, or restrain competition substantially. If the Attorney General shall find that such proposed sale or transfer will encourage monopoly or undue concentration of industry or commerce, or restrain competition substantially, the Administrator shall not consummate the proposed transfer. If the Attorney General shall fail to render an opinion within 30 days of receipt of a request therefor (or within such additional period not to exceed 60 days which he may specifically request) the Administrator may proceed with the proposed sale or transfer on his own responsibility. The failure of the Attorney General to render an opinion shall not be construed as a bar to prosecution for violation of the antitrust laws.

"(b) Every contract of sale (or other transfer) of the property referred to in subsection (a) shall contain suitable provisions prohibiting subsequent transfers within a period of 3 years next succeeding the effective date of the contract unless such subsequent transfer is approved by the Administrator. Before approving an application for subsequent transfer, the Administrator shall refer the matter to the Attorney General as required in subsection (a) of this section.

"(c) Every contract for the sale, or lease for 2 years or more, of a plant shall be made upon the condition that the purchaser, lessee, or transferee, and their transferees, if any, shall maintain the plant in substantial operation and production for a period of 2 years next succeeding the effective date of the contract, and that upon breach of such condition, the Government may recover the plant upon return of the consideration due.

"(d) Every agency engaged in the disposition of surplus property shall maintain in each of its disposal offices full records of its inventories of surplus property and of each of the disposal transactions negotiated by such office and shall make such records available for inspection by the public.

"(e) At least 10 days before advertising for bids or posting notice of sale or transfer by other means, every disposal agency shall notify the nearest regional office of the Smaller War Plants Corporation of the proposed terms of disposal specifying the minimum quantities on which bids or offers will be received and the credit terms, if any, for the purpose of permitting the Smaller War Plants Corporation to advise the disposal agency if, in its judgment, the proposed terms discriminate against small-business purchasers.

"Sec. 309. No option to purchase or otherwise acquire Government-owned property which is held by any person shall be honored except in strict conformity with the price and other terms of such option. In the event of failure validly to exercise such an option, the property shall be disposed of in accordance with the applicable provisions of this act.

"Sec. 310. No Government agency shall dispose of any Government-owned plant for the production of aircraft, aircraft parts, synthetic rubber, aluminum, magnesium, or steel, or any Government-owned ship, shipyard, or pipe line, which represents an original cost to the Government of \$1,000,000 or more, unless such disposition is required by a valid contract provision in effect upon the enactment of this act: *Provided*, That the Administrator may authorize the lease of such surplus property for a term not to exceed 3 years in accordance with the provisions of section 308. The Administrator shall pre-

pare a report on the alternative means of disposal of such property and shall submit such report together with his recommendations to Congress.

"Sec. 311. Except as may be otherwise provided by existing law, all proceeds from the sale or other disposition of surplus property under this act shall be deposited and covered into the Treasury as miscellaneous receipts.

"Sec. 312. The Administrator shall transmit to Congress in January, April, July, and October of each year a report of operations under this act, including regulations, orders, and directives of the Administrator, and summaries of each disposal in which the property involved represented an original cost to the Government of \$1,000,000 or more.

"TITLE IV—RETRAINING AND REEMPLOYMENT OF WAR WORKERS AND RETURNING SERVICEMEN

"Sec. 401. The Congress hereby declares that the objectives of this title are—

"(a) To facilitate the most effective mobilization and maximum utilization of the Nation's manpower in the prosecution of the war;

"(b) To maintain maximum employment in the transition from war to peace time production;

"(c) To provide for the coordination of the demobilization of servicemen with employment opportunities under a policy of demobilizing servicemen as rapidly as the military situation permits;

"(d) To provide necessary training of ex-servicemen and war workers; and

"(e) To provide the necessary economic assistance to returning ex-servicemen and war workers in connection with transfer, training, and reemployment.

"Sec. 402. It shall be the function of the Administrator of the Retraining and Reemployment Administration (hereinafter referred to as the Work Administrator), subject to the discretion and control of the Director, to establish a unified reemployment program covering recruitment, training, transfer, and placement of returning servicemen and workers in war and civilian production. The reemployment program shall include provision for compiling full detail on declining and increasing employment opportunities (by industrial segments, geographic areas, and plants) resulting from curtailment in war production and resumption of civilian production; for placement of workers in appropriate employment; and for interim financing of workers, including returning servicemen, pending placement in accordance with the authority of this title. The Work Administrator shall prescribe regulations and issue directives to Federal agencies necessary to effectuate the objectives of this title and all such Federal agencies shall be governed by these.

"Sec. 403. The Work Administrator shall consult and advise with a Committee on Retraining and Reemployment, consisting of one representative from each of the following: Department of Labor, Veterans' Administration, War Manpower Commission (for the War Manpower Commission and the Federal Security Agency), War Production Board, Selective Service System, Civil Service Commission, War Department, Navy Department, and such other Federal agencies as the Work Administrator may designate.

"Sec. 404. (a) The War Production Board and other agencies having data on production changes and employment opportunities shall furnish the Work Administrator full information on current and projected schedules of military and civilian production in such detail as the Work Administrator shall deem necessary.

"(b) The Director of Selective Service, with the assistance of the War and Navy Departments, shall furnish data on current and projected rates of discharge of servicemen providing such details concerning the servicemen as the Work Administrator may deem

necessary and is practicable for the Selective Service and the War and Navy Departments to furnish. It shall be the duty of the War and Navy Departments to anticipate, so far as practicable, the forward programs of demobilization of servicemen, and to cooperate with the Director of the Selective Service System and the Work Administrator in furnishing full data on such demobilization.

"Sec. 405. The Work Administrator may perform the functions and exercise the powers, authority, and discretion conferred on him by this act through such officials and such agencies and in such manner as the Work Administrator, subject to the provisions of this act, may determine. In carrying out the purposes of this act, the Administration may utilize the services of any other Government agency.

"Sec. 406. In order to facilitate the recruitment, training, transfer, and placement of workers and ex-servicemen, the Work Administrator is hereby authorized to pay the cost of transportation of workers and ex-servicemen, including transportation of dependents and household effects, from their last previous residence to new jobs, in accordance with such regulations as may be prescribed by the Work Administrator: *Provided*, That such transportation allowances shall not exceed the allowances provided for Government employees in the Standard Government Traveling Regulations, as approved by the President.

"Sec. 407. (a) In order to give effect to the objectives of this title the Work Administrator is authorized to provide to any person vocational free education or training, of not more than 6 months of full-time study or its equivalent in part-time study.

"(b) Every person, while he is receiving vocational education or training on a full-time basis, shall be entitled to receive a maintenance allowance at the rate of \$50 a month if he has no dependent, \$75 if he has one dependent, and \$100 if he has two or more dependents. The Work Administrator may provide for maintenance allowances, under such conditions and in such amounts as may be prescribed by regulations, to servicemen and civilian workers receiving education or training on a part-time basis; but no such allowance shall be paid to any person receiving training on the job other than under an approved apprenticeship program.

"(c) The Work Administrator shall from time to time make available information respecting the need for general education and for trained personnel in the various trades, crafts, and professions. He shall make educational and vocational guidance generally available.

"Sec. 408. Section 2 of the Mustering-Out Payment Act of 1944 is amended to read as follows:

"Sec. 2. Mustering-out payment for persons eligible under section 1 shall be made in equal monthly installments. The first installment shall be paid at the time of final discharge or ultimate relief from active service, and the remaining installments shall be paid in successive months thereafter. Each installment shall be at the rate of \$100 if the member of the armed forces has no dependent, \$125 if he has one dependent, and \$150 if he has two or more dependents. All persons shall be entitled to two installments plus an additional installment for each year of active service or major fraction thereof. Any person who has served outside the continental limits of the United States or in Alaska shall be entitled to a further additional installment."

"Sec. 409. (a) Every unemployed person who qualifies under the provisions of section 410 of this act shall, within 1 week after registration with a public employment office designated by the Work Administrator, be entitled to placement in a suitable job or shall be entitled to 'interim placement benefits'

whose payment shall be administered in accordance with section 410. Such benefits shall be at the rate of \$20 for each week of total unemployment if such person has no dependent, \$25 if he has one dependent, \$30 if he has two dependents, or \$35 if he has three or more dependents: *Provided*, That in the case of a person other than an ex-serviceman, the maximum benefit paid shall not exceed 80 percent of his regular weekly earnings, as defined by the Work Administrator: *Provided further*, That any qualified person shall be entitled to reduced benefits for periods of partial unemployment in such amounts as the Work Administrator shall prescribe on the basis of the approximate proportion borne by such person's partial unemployment to total unemployment: *And provided further*, That no benefits for partial unemployment shall be paid in excess of an amount which when added to the person's earnings during the period of partial unemployment for which paid benefits on account of partial unemployment shall exceed eight-fifths of the benefits he would receive for total unemployment for such period.

"(b) No payment for 'interim placement benefits' shall be made under this title to any person for any period unless (1) he registers with and continues to report to a public employment office, or other agency designated in regulations of the Work Administrator, and (2) he is available for suitable work: *Provided, however*, That the conditions contained in (1) and (2) of this subsection shall not be applicable during periods of illness or disability.

"(c) The Work Administrator shall by regulation prescribe disqualifications, in such cases and under such conditions as he finds will promote the purposes of this act, for leaving suitable work voluntarily and without good cause, for failure to apply for suitable work, and for failure to accept suitable work when offered. No such disqualification shall be for a period of more than five weeks.

"(d) No work shall be deemed suitable for the purposes of this section, and benefits shall not be denied under this act to any otherwise qualified employee for refusing to accept work if—

"(1) the position offered is vacant due directly to a strike, lock-out, or other labor dispute;

"(2) the remuneration, hours, or other conditions of work offered are substantially less favorable to the employee than those prevailing for similar work in the locality, or the rate of remuneration is less than the union wage rate, if any, for similar work in the locality;

"(3) as a condition of being employed he would be required to join a company union or to resign from or refrain from joining any bona fide labor organization;

"(4) acceptance of the work would require him to engage in activities in violation of law or which, by reason of their being in violation of reasonable requirements of the constitution, bylaws, or similar regulations of a bona fide labor organization of which he is a member, would subject him to expulsion from such labor organization; or

"(5) acceptance of the work would subject him to loss of substantial seniority rights under any collective-bargaining agreement between a bona fide labor organization and any other employer.

"(e) In determining whether or not any work is suitable for an employee for the purposes of this act, the Work Administrator shall consider, in addition to such other factors as he deems relevant, (1) the current practice, recognized by management and labor with respect to such work; (2) the degree of risk involved to such employee's health, safety, and morals; (3) his physical fitness and prior training; (4) his experience and prior earnings; (5) his length of unemployment and prospects for securing work in

his customary occupation; and (6) the distance of the available work from his residence and from his most recent work.

"(f) For the purposes of this act, no voluntary leaving of work shall be deemed to have been without good cause if the Work Administrator finds that such work would not have been suitable for the purposes of this section of this act.

"(g) No payment shall be made under this section to any person for any period for which he receives vocational education or training allowance under this title.

"(h) Any officer or agency of an employee, or any employee representative, or any employee acting in his own behalf, or any person whether or not of the character hereinbefore defined, who shall willfully fail or refuse to make any report or furnish any information required by the Work Administrator in the administration of this title, or who shall knowingly make or aid in making or cause to be made any false or fraudulent statement or report when a statement or report is required to be made for the purposes of this title, or who shall knowingly make or aid in making or cause to be made any false or fraudulent statement or claim for the purpose of causing benefits or other payment to be made or not to be made under this title, shall be punished by a fine of not more than \$10,000 or by imprisonment not exceeding 1 year, or both.

"(i) Any person who violates any provision of this title, the punishment for which is not otherwise provided, shall be punished for each such violation by a fine of not more than \$1,000 or by imprisonment not exceeding 1 year, or both.

"Sec. 410. (a) The following shall be eligible for the 'interim placement benefits' prescribed in section 409:

"(1) Any ex-serviceman.

"(2) Any person who within 12 months prior to his first application for such benefits was employed—

"(i) 90 days in a Federal agency;

"(ii) 90 days as an officer or member of the crew of a vessel on the navigable waters of the United States; or

"(iii) 180 days in agricultural labor.

"(3) Any person who at the time of the first application is a 'qualified employee' as defined in section 3 of the Railroad Unemployment Insurance Act, as amended.

"(4) Any person who at the time of first application for benefit would be eligible for unemployment compensation by virtue of his or her earnings under the laws of a State, in 'covered employment,' if all other qualifications were waived: *Provided, however,* That such State has arranged with the Work Administrator to pay and administer the 'interim placement benefits' prescribed in this title, either by contract, or through the provisions of State law or through such provision as the State or State unemployment compensation agency may make effective as agent of the Federal Government. For purposes of this subsection 'covered employment' shall include employment subject to the unemployment compensation law of such State and, upon election by such State, to administer any or all of the following classes of employment:

"(i) in establishments of less than eight persons not covered by a State unemployment compensation law;

"(ii) in State and local governmental agencies;

"(iii) in nonprofit organizations; and

"(iv) in domestic work.

"(5) Any person, in a State which has failed within 6 months after the enactment of this act to make an arrangement in accordance with the preceding subsection, with the Work Administrator, and who within 12 months prior to his first application for such benefits had earned not less than \$150 in employment covered by title II of the Social Security Act (providing old-age and survivors

insurance benefits): *Provided,* That such person's benefits shall be subject to the reduction, in accordance with the regulations of the Work Administrator, on account of any unemployment compensation paid him or payable to him by a State agency for the same period of unemployment.

"(b) Payments of 'interim placement benefits' to persons in categories (1), (2), and (5) shall be made through such agencies as the Work Administrator shall designate, including any Federal agency and any State or State unemployment compensation agency, which has arranged to administer benefits to persons in category (4); payments to persons in category (3) shall be made through the Railroad Retirement Board; and payments to persons in category (4) shall be made through the respective States which have arranged with the Work Administrator to make such payments pursuant to section 410 (a).

"(c) The Work Administrator shall from time to time certify to the Secretary of the Treasury for payment to such States or State unemployment compensation agencies as administer the payment of benefits under this title pursuant to this section, with respect to such periods as the payment of such benefits is so administered, advances, grants, or reimbursements, equal to all disbursements of benefits pursuant to this title, minus 50 percent of the amount of unemployment benefits that would have been payable had this title not been enacted as determined under the unemployment-compensation law of such State as of the date of the enactment of this act.

"The Railroad Retirement Board shall from time to time certify to the Secretary of the Treasury for payment to the railroad unemployment-insurance accounts in the unemployment trust fund the amounts by which payments by it under this section exceed 50 percent of the amounts which would have been payable under the provisions of the Railroad Unemployment Insurance Act in effect at the time that this act was approved.

"The Work Administrator shall certify from time to time for payment to a State or State unemployment-compensation agency, or for credit to the Railroad Unemployment Insurance Administration fund such amounts as he determines (i) are equal to administrative expenses theretofore reasonably incurred by such State or the Railroad Retirement Board in the administration of any of the provisions of this title by arrangement with the Work Administrator, and (ii) have not been included in the basis of any previous certification under this paragraph.

"All persons otherwise eligible in accordance with this title for 'interim placement benefits' shall be eligible during the period beginning 30 days after the day of enactment of this act until 24 months after the cessation of hostilities: *Provided,* That such benefits shall be available to a serviceman discharged from or relieved from service after the termination of hostilities for a period of 24 months following his discharge.

"TITLE V—SETTLEMENT OF TERMINATED WAR CONTRACTS

"On page 37 strike out 'Objectives of Act' as now on line 10.

"On page 37, line 11, to page 87, line 9, strike out and substitute as follows: for act, substitute title; for Director, substitute Administrator; for Office of Contract Settlement, substitute Contract Settlement Administration; for Director of Contract Settlement, substitute Administrator of the Contract Settlement Administration; renumber sections 1 to 25 as sections 501 to 525.

"Page 87, after line 9, insert:

"TITLE VI—MISCELLANEOUS

"Sec. 601. As used in this act—

"(a) 'Government agency' means any executive department, independent establishment, agency, commission, board, bureau,

division, administration, office, service, independent regulatory commission or board, and any Government-owned or Government-controlled corporation.

"(b) 'Surplus war property' and 'surplus property' means any property, real or personal, including but not limited to plants, facilities, equipment, machines, accessories, parts, assemblies, products, commodities, materials, and supplies in the possession of or controlled by any Government agency, whether new or used, in use or in storage, which are in excess of the needs of such agency or are not required for the performance of the duties and functions of such agency and which are determined, subject to the authority of the Office of War Mobilization, to be surplus by such agency.

"(c) 'Disposal agency' means any Government agency which has been assigned the operating function of disposing of surplus war property by the Administration.

"(d) 'Tax-supported institution' means any scientific, literary, educational, public health, or public welfare institution which is supported in whole or in part through the use of funds derived from taxation by the United States, the District of Columbia, or any State or any political subdivision thereof, any Territory or possession of the United States, or any political subdivision of any such Territory or possession.

"(e) 'Disposal' means sale, conditional sale, or lease, for cash, credit, or other property; donation; or any other transfer.

"(f) 'Ex-servicemen' shall include all persons who served in active duty in the military or naval forces of the United States on or after September 16, 1940, and has been relieved or discharged from such active duty on conditions other than dishonorable.

"(g) The term 'State' shall include the several States, the District of Columbia, and the Territories of Hawaii and Alaska.

"Sec. 602. There are authorized to be appropriated such sums as may be necessary or appropriate to carry out the purposes and provisions of this act.

"Sec. 603. The provisions of this act shall become effective immediately, unless otherwise provided in the act, and unless otherwise provided shall be terminated 24 months after the cessation of hostilities.

"Page 87, line 11, renumber section 26 to become section 604.

"Page 87, strike out lines 17 and 18, substitute the following:

"Sec. 605. This act may be cited as the 'War Mobilization Adjustment Act of 1944.'"

"Amend the title so as to read: 'A bill to establish an Office of War Mobilization and Adjustment and to provide for the development and execution of war mobilization and post-war adjustment programs.'"

Mr. MURRAY. Mr. President, first I wish to thank the able Senator from Georgia for his very kind remarks.

Mr. KILGORE. Mr. President, if the Senator will yield to me, I should like to discuss my amendments as soon as possible.

At this time I desire to say that in the amendment which now lies on the desks of Senators, an insertion is to be made relative to the question of compensation. The insertion is to be made on page 31 of the amendments, and reads as follows:

5. Any person, in a State which has failed within 6 months after the enactment of this act to make an arrangement in accordance with the preceding subsection, with the Work Administrator, and who within 12 months prior to his first application for such benefits had earned not less than \$150 in employment covered by title II of the Social Security Act (providing old-age and survivors insurance benefits): *Provided,* That such person's benefits shall be subject to the

reduction, in accordance with the regulations of the Work Administrator, on account of any unemployment compensation paid him or payable to him by a State agency for the same period of unemployment.

Mr. DANAHER and Mr. HATCH addressed the Chair.

The PRESIDING OFFICER. Does the Senator from Montana yield; and if so, to whom?

Mr. MURRAY. I yield to the Senator from Connecticut.

Mr. DANAHER. Mr. President, I should like to inquire at what point on page 31 the insertion just referred to by the Senator from West Virginia is to be made?

Mr. KILGORE. It is to be made after line 16, on page 31, immediately after subsection (iv). The addition is an insertion, not a change. It goes in at the point I have just indicated, and before the following paragraph (b).

Mr. MURRAY. Mr. President, does the Senator from New Mexico desire that I yield to him at this time?

Mr. HATCH. No; Mr. President, I withdraw my request that the Senator yield to me at this time. I wished to propound an interrogatory to the Senator from West Virginia, but I shall do so later, after the Senator from Montana has discussed his bill, and when the amendments come up.

Mr. MURRAY. Mr. President, the bill has already been fairly well discussed in the preliminary debate which has occurred on the motion made earlier in the day by the Senator from West Virginia [Mr. KILGORE], and subsequently withdrawn. I desire to say that the bill is one which has originated in the Senate. The bill did not come to the Senate from any of the Government agencies, from the administration, or from any other outside source.

The bill really originated as a result of complaints which the Special Committee to Study and Survey Problems of Small Business Enterprises began to receive from small corporations engaged in war work, which were being affected by the termination of contracts. As early as June 24, 1943, I introduced a bill entitled "A bill to facilitate the termination of war contracts." That bill was introduced as a result of the many complaints which were coming to the Senate Committee on Small Business. It seems that a great many contracts which involved thousands of subcontractors had been terminated. One contract with the International Harvester Co. involved 2,500 subcontracts. A great many other prime contracts involving large numbers of subcontracts were being terminated. These terminations were vitally affecting the small contractors, because of the absolute need to get their money out of their war work when the contracts were terminated. So they became quite fearful of the prospect of having their money tied up for long periods of time. Many representatives of these small contractors came to our committee and complained that their contracts had been terminated for periods of many months, and that they saw no possibility of getting settlements. They were tied up as a result of the existing laws, which made it impos-

sible for the war agencies to make speedy and equitable settlements of claims.

As a result of that situation, in June 1943 I introduced the first bill on the subject. Later, I was invited by the chairman of the Special Committee on Post-war Economic Policy and Planning to sit with his committee for the purpose of cooperating in the study of the post-war program and problems which that committee was considering. I have since cooperated and consulted with that committee throughout the period while we were formulating this legislation, particularly the legislation pertaining to contract termination.

The bill which is before us today has two main principles. The first is speedy and fair settlements for all holders of terminated contracts. The bill undertakes to provide a method whereby those contracts can be terminated and promptly settled by the war agencies, without the need of waiting for an audit by the General Accounting Office, which up to the present time has precluded the Government agencies from making prompt settlements.

The bill undertakes to protect the Government against waste and fraud in making these settlements.

Mr. DAVIS. Mr. President, will the Senator yield?

Mr. MURRAY. I yield.

Mr. DAVIS. Does that mean that the General Accounting Office will have no further right to investigate claims after they are settled?

Mr. MURRAY. Oh, no. The bill contains very elaborate provisions designed to protect the Government from any danger of fraud, waste, or extravagance in the settlement of claims.

Mr. DAVIS. Does it take away from the Comptroller General any of the power he now has to continue his investigation after settlement has been made?

Mr. MURRAY. Absolutely no. The bill provides first that he shall have the right to investigate settlements with a view of determining whether or not fraud has occurred and whether or not payments have been made in accordance with the terms of the settlement.

The bill also provides that—

(c) The Comptroller General may investigate the settlements completed by each contracting agency for the purpose of reporting to the Congress from time to time on—

(1) whether the settlement methods and procedures employed by such agency are of a kind and type designed to result in expeditious and fair settlements in accordance with and subject to the provisions of this act and the orders and regulations of the Director;

(2) whether such methods and procedures are followed by such agency with care and efficiency; and

(3) whether such methods and procedures adequately protect the interest of the Government.

The bill further provides that—

If in any such report the Comptroller General shall find that the settlement methods and procedures fail to meet the foregoing standards, he shall make suggestions and recommendations to such agency for the improvement of such methods and procedures and to the Congress for any additional legislation needed to carry out the policies of this act. At least 30 days before filing any such

report with the Congress, the Comptroller General shall deliver a copy thereof to the agency concerned and the Director, and shall forward to the Congress together with such report any comments of such agency with respect thereto.

The bill also contains this clause:

(d) The jurisdiction of the Comptroller General of the United States shall not be affected by this act except to the extent necessary to give effect to the specific provisions thereof.

So it will be seen that while the bill would prevent the interminable delays which might occur without such legislation, it would nevertheless safeguard the Government in every respect by protecting the Government from fraud, and also by authorizing the Comptroller General to carry on investigations to determine whether or not there was waste, extravagance, or failure efficiently and expeditiously to carry out settlements of contracts. In that respect I think the language of the bill cannot be questioned. I am satisfied that the Comptroller General will recognize that the bill would successfully meet the problem of safeguarding the Government from the danger of fraud or waste in connection with the settlement program.

I have mentioned the two basic principles. The Government would be protected in a fourfold way. The procurement agencies are responsible for making the contracts in the first instance. Being in possession of all the facts they should settle the contracts upon their termination. It would be utterly absurd and ridiculous to create an expanded General Accounting Office for the purpose of conducting the investigations and studies on which to base settlements of contracts. The various Government contracting agencies already have their own auditing personnel. They made the contracts, and they are in possession of all the facts and conditions and are able, with their own organizations, to carry out the investigations and fix the terms of the settlements.

The bill would establish a director of contract settlement, to supervise the activities of the procurement agencies in connection with contract settlements and interim financing. Under the terms of the bill, the appropriate committees of the Senate and the House would maintain continuous surveillance over the operations of the procurement agencies. The bill expressly provides for reports to be made to the Congress from time to time during the progress of the settlement of contracts, so that the Congress will be constantly in touch with what is going on in regard to contract settlement. If it discovers that there is any wastefulness or neglect to carry out the purposes of the law to bring about speedy and prompt settlements, the Congress can enact additional legislation to cover the situation.

The bill also provides a system of interim financing for the holders of contracts, so that as a result of the termination of the contracts they may not be placed in a dangerous financial situation because of their inability to obtain prompt payment for their work. The bill has very carefully worded provisions

in that respect, which were drafted in great detail in consultation with the various procurement offices and with the representatives of corporations having had experience in connection with terminated contracts. In that respect I believe that the bill in its present form is as carefully prepared as could be expected, and I am sure that it will prove satisfactory to the war agencies in carrying out the purposes intended.

The bill also undertakes to require the procurement agencies to give advance notice of contemplated terminations of contracts so as to facilitate the efficient use of materials, manpower, and facilities for war and for civilian purposes.

It also provides a method for the removal and storage of the materials which are left on hand, such as machinery and equipment which may no longer be needed in connection with war production.

The bill also provides that if not removed within 60 days, the contractor may remove and store such property at Government risk and expense.

The bill expressly removes personal financial liability of contracting officers, a matter which is very important in connection with bringing about a speedy settlement of contracts. It seems to me that with \$14,000,000,000 worth of contracts already terminated, and with many thousands of small contractors involved, it would be a very serious situation for the country if we failed to provide a quick, fair, and equitable method of settlement of those claims, removal of the inventories on the floors of the contractors, and the removal of the machinery which they no longer need in order to allow them to convert to civilian production.

I believe the bill is very effective in that respect and will enable the contracting officers to make settlements, and place contractors in a position where they may quickly reconvert to civilian production.

The bill contains provisions for the preservation of records made in connection with those settlements so as to facilitate prosecutions for fraud wherever fraud may be discovered.

The bill also sets up very serious penalties for any violations of its provisions. I think that in every way the bill covers every feature that should be covered in a bill of this nature to enable contracts to be speedily settled permitting the concerns involved to return to civilian activities.

Mr. KILGORE. Mr. President, will the Senator yield so that I may ask him a question at this point?

Mr. MURRAY. I yield.

Mr. KILGORE. On page 72 of the bill, section 15 (a) provides as follows:

Whenever any payment is made from Government funds to any war contractor or other person as an advance, partial, or final payment on any termination claim, or pursuant to any loan, guaranty, or agreement for the purchase of any loan, or any commitment in connection therewith, entered into by the Government, no officer or other Government agent authorizing or approving such payment or settlement, or certifying the voucher for such payment, or making the payment in accordance with a duly certified voucher—

Here is the language to which I wish to invite attention—

shall be personally liable for such payment, in the absence of fraud on his part.

I ask the Senator from Montana if that language does not leave a loophole wide open for a defense, even in a case of gross negligence so long as there is no proof that personal gain was had by the officer? I am not talking about the contractor but about the man who negotiates and puts through the settlement in termination, namely, the representative of the Government. It must be realized that there will be literally thousands of such representatives of the Government. The Ordnance Department alone has about 19 different offices; the Signal Department has a great many; the Navy has under it the various naval districts, and the Quartermaster Corps has many different organizations. The settlements will be made in a particular locality by the agency involved. I am wondering if this proposal would not let the bars down so low that some person could carelessly or negligently, without checking, act wrongfully in connection with the settlements. Would it not be better to use the language "fraud or negligence" or "fraud or gross negligence"?

Mr. MURRAY. I think the Senator from West Virginia has stated a reasonable apprehension. However, when the Senator considers the situation very carefully I believe he will find that a provision such as he has suggested would so slow up the process of settling the claims as to create a very serious condition throughout the country. Furthermore, the officer who is guilty of gross negligence can be disciplined under the present rules and regulations of the war agencies. He can be removed from office or be prosecuted.

Mr. KILGORE. Mr. President, allow me to invite the attention of the Senator to the fact that in the tool sale at Detroit the officer involved was promoted and transferred. In several other similar cases there have been promotions and transfers. So far, I have been unable to find any instance in which negligence was punished.

Mr. MURRAY. The case to which the Senator has referred was not in connection with the settlement of a contract; it was in connection with an entirely different situation. Furthermore, the Comptroller General has made no objection, such as the Senator raises here, to the language now in the bill. If the Comptroller General, who is vitally interested in protecting the Government from fraud, waste, or extravagance, thought that such a provision as the one suggested by the Senator from West Virginia was necessary, I am sure he would have insisted on it being incorporated in the bill. However, the Comptroller General knows that if such a provision were inserted in the bill at the place suggested by the Senator it would render the bill so impossible of accomplishing the purposes intended that we would have a real crisis in connection with the settlement of these claims.

Mr. KILGORE. Mr. President, the Senator misunderstood me. I invite his attention to the same page of the bill and specifically with regard to the language under the subheading "The General Accounting Office," which reads as follows:

Any other provision of law notwithstanding, the function of the General Accounting Office with respect to any termination settlement made, authorized, ratified, or approved by a contracting agency shall be confined to determining, after final settlement, (1) whether the settlement payments to the war contractor were made in accordance with the settlement—

Not whether they were based on the correct figures, but whether they were made in accordance with the terms of the settlement agreed upon, and—

(2) Whether the records transmitted to it, or other information, warrant a reasonable belief that the settlement was induced by fraud.

So the General Accounting Office apparently has nothing to do except check the amount of the check against the agreement, and with no authority to go behind the agreement to ascertain whether the representations made were accurate, or whether the figures might have been erroneously handled.

Mr. MURRAY. The General Accounting Office has the function, however, of carrying on investigations to determine as to what extent anything like what the Senator has referred to occurred in the process of settling the claims, and to report to the Congress so that if it should be found that any glaring cases of gross negligence or carelessness, which would result in great loss to the Government, had occurred, additional legislation can be enacted to overcome such conditions. However, at the present time it is more important to have legislation, even though there may be some instances of losses through carelessness or negligence, which will make it possible to bring about speedy settlements. It has been found under existing laws and conditions that these contracts are piling up. As I mentioned a few moments ago, I recall the representative of the Stewart-Warner Co. coming to the Small Business Committee offices one day, with officers from the Navy Department, in connection with a contract that had been terminated nearly a year ago which the procurement officers were afraid to settle for fear that the General Accounting Office would hold them individually responsible for having paid money that they should not have paid.

If we are going to have a contract settlement bill at all, we have got to have one that is effective and efficient. We have never had in this country before a situation like that confronting us today. At the end of the last war there were only approximately \$4,000,000,000 in contracts terminated. We have already terminated \$14,000,000,000 worth of contracts, and, if the war in Europe were to end in a few weeks, we would have \$25,000,000,000 more added immediately. So, it can be readily seen what would happen if the country were to be confronted with that situation without legislation which would make it possible for the procure-

ment agencies to carry out expeditious settlements of the various claims.

Mr. DAVIS. Mr. President, will the Senator yield?

Mr. MURRAY. I yield.

Mr. DAVIS. I presume the committee has given consideration in connection with the termination of war contracts to the great number of men who will be unemployed after they are terminated.

Mr. MURRAY. Certainly, that phase of the matter has been considered.

Mr. DAVIS. As has already been pointed out by the Senator from Michigan [Mr. VANDENBERG], the committee is going to consider the question of unemployment insurance and all related questions, especially those affecting the men returning from the war.

Mr. MURRAY. That is correct. The unemployment situation in connection with the termination of war contracts has not as yet developed to a sufficient extent to make it a serious problem. There has been some slight lessening in the numbers employed in war work during the past year, but it is not a serious question at the present time.

Mr. DAVIS. Referring to the discussion between the Senator from Montana and the Senator from West Virginia a few moments ago as to the Comptroller General, I presume the Comptroller General has considered and approved the pending legislation.

Mr. MURRAY. The Comptroller General has gone over the bill very carefully and takes the position that, if we must have contract-termination legislation in order to expedite the settlement of war-contract claims, this proposed legislation carries out that purpose as effectively as could be expected. I will ask that the statement of the Comptroller General be incorporated in the RECORD at this point, and I will read the concluding language as follows:

Finally, Mr. Warren ended his letter with the following statement:

"While as hereinbefore stated, I am still of the view that there should be an independent audit and review of proposed settlements prior to the making of final payments thereunder, nevertheless, I have no objections to offer to the bill S. 1718, except as hereinbefore noted, as it is believed that the provisions of the bill, if properly administered, are adequate to accomplish the announced objective thereof."

I ask that the entire statement of the Comptroller General be printed in the RECORD at this point, starting on page 11 and extending to the middle of page 12.

The PRESIDING OFFICER. Without objection, it is so ordered.

The matter referred to is as follows:

VI. STATEMENT BY THE COMPTROLLER GENERAL

On February 15, 1944, the chairman of your War Contracts Subcommittee forwarded S. 1718 to the Honorable Lindsay Warren, the Comptroller General of the United States, and requested his comments on the bill. It was felt that the Comptroller's views on the bill were of great importance not only because he had previously raised the question of whether or not final settlements should be made by the General Accounting Office but because the Comptroller has always evidenced an interest in strengthening the legislative process and in preventing wasteful expendi-

tures that might well serve as a shining example to be followed by other agencies of the Government.

On February 22, 1944, Mr. Warren replied to the chairman's letter, stressing "the need for enactment of appropriate legislation and the formulation by the Congress of the policy and procedure to be followed in the settlement and payment of obligations under war contracts which may be terminated. He also reiterated his belief that final settlements should be made 'only after an audit and review of the proposed settlements by an independent agency. However, and especially in the absence of such a provision,' stated Mr. Warren, 'I am convinced that an independent agency should exercise effective control over the program and it is noted that the bill provides for an independent agency—the Office of Contract Settlement—clothed with supervisory and regulatory authority which should be effective, if properly exercised and administered, to control termination settlements and payments in the various war-contracting agencies and bring uniformity to the program.'"

Mr. Warren then suggested two amendments. The first amendment eliminates subsection (a) of section 23, which would authorize the Director of Contract Settlement to delegate any authority and discretion conferred upon him to the head of any Government agency, and to authorize successive redelegation of such authority and discretion. Mr. Warren pointed out that this provision would allow the Director to delegate all his supervisory powers back to the contracting agencies. The second amendment clarifies section 16 on the role of the General Accounting Office. It eliminates the first sentence in this section and makes it clear that the operations of the General Accounting Office in detecting fraud depend on the adequacy of the records submitted to it. It also maintains the jurisdiction of the Comptroller General except to the extent such jurisdiction is limited by the act.

Both of these amendments are acceptable to your subcommittee.

Finally, Mr. Warren ended his letter with the following statement:

"While as hereinbefore stated, I am still of the view that there should be an independent audit and review of proposed settlements prior to the making of final payments thereunder, nevertheless, if the Congress, as a matter of public policy, should decide otherwise, I have no objections to offer to the bill S. 1718, except as hereinbefore noted, as it is believed that the provisions of the bill, if properly administered, are adequate to accomplish the announced objective thereof."

Mr. MURRAY. Mr. President, I do not think there is any doubt in the world with reference to the absolute necessity of this proposed legislation. The contracting agencies have all studied this bill; the committees that have been working on it have gone into it very carefully; the corporations to be affected by it have had their expert accountants and expert advisers study the bill, and it seems to meet with the general approval of the country. I do not know of any objection that has been urged to the bill as it is now pending before the Senate. There may be some need for clarifying amendments; there may be something that might be added to the bill in some respects, but, so far as the bill is concerned as now worded, it is designed to and will carry out the objective which is sought, and that is to avoid the piling up of contracts and the danger of creating widespread bankruptcy among war con-

tractors because of their inability to get the money out of their contracts.

A question was raised in the early part of the debate with regard to the human problems connected with the subject of reconversion. Of course, as I have already stated, I believe that the human question is quite as vital and quite as important as the property question. The Senator from Georgia [Mr. GEORGE] and I are willing to go forward, as we have stated several times, with the preparation of the over-all legislation and with the study of proper measures to provide unemployment compensation in connection with this whole program. Certainly that must be done. It is absolutely necessary that we avoid any serious unemployment conditions developing during the progress of reconversion, and if some unemployment does develop we must be ready with an unemployment compensation system which will take care of the situation. I am confident that legislation of that kind can be prepared very quickly if we go to work at it when this bill is out of the way. The Military Affairs Subcommittee which is now studying those subjects will continue its hearings, and I think with the cooperation of the Senate Post-War Planning Committee, we should be able to report some over-all legislation comprising the objectives which are set forth in the statement issued by the labor organizations demanding a fuller program of reconversion.

I think that that is all I have to say for the present.

The PRESIDING OFFICER. The question is on the amendment offered by the Senator from West Virginia [Mr. KILGORE].

Mr. KILGORE. Mr. President, with regard to the amendment I offered I have a few things I should like to say. The amendment does not in any way affect the provisions discussed by the able Senator from Montana, but goes to other phases of the demobilization problem. I should like briefly to call attention to that aspect of the amendment.

In the first place the amendment, in addition to provision for supervising contract termination, sets up a unified agency which will work simultaneously in directing the various agencies as to the four phases of the program. It includes planning, cut-back, and return to civil production. It also contemplates a planning agency for the return to civilian production by the companies whose contracts have been terminated, and provides for the settlement of the terminated contracts, and the training and retraining of displaced war workers and servicemen who come back to seek a place in our civilian economy. It provides unemployment compensation for released workers during the transition period in order to maintain our economy at a high level.

It also seeks to enlist the major groups of our population—industry, agriculture, and labor—in the work of reconversion and demobilization, by securing their active cooperation in the work of the top agencies, and by having them act as channels for the constructive organized efforts of these groups in the making of

programs and policies for the transition to peace. In other words, it provides in the top bracket for an advisory committee, who shall represent not only the three groups I have mentioned, but also the consumer group, in the study of what is necessary properly to return from a war economy to a peace economy.

It sets up a program bureau within the over-all office, with a director of program planning, and a proper advisory council under him, which is tied up with the practical operation of the various war agencies seeking a gradual elimination of wartime governmental control, at the same time encouraging the development of local and regional as well as national programs to continue the momentum of the high wartime production.

My attention was forcefully called to that matter today by a letter I received from a man who is handling manpower in one of our largest centers, who stated that uncontrolled termination of contracts, without supervision and without planning might cause chaos in certain localities, whereas the termination of contracts gradually, and the spreading of termination Nation-wide by careful planning, would have a good effect. Let me give an illustration. The Ordnance Department decides to terminate a contract for gun mounts. Simultaneously the Signal Corps decides to terminate a contract for signal equipment, the Quartermaster Corps decides to terminate a contract they have for equipment, and the Navy terminates a contract for motors. Those 4 terminations could be spread Nation-wide if the matter were well planned, and 1 termination could take place in each of 4 localities, instead of taking place simultaneously in the same locality. If, instead of shutting down one big plant in each of four big centers, there should be shut down four big plants in one big center, possibly from 80,000 to 100,000 people would be made jobless immediately.

The orderly disposition of surplus Federal property is also taken into account, in accordance with general policies laid down by the Congress to safeguard the Public Treasury, to protect small business, and also to increase production employment, rather than leaving the disposal of surplus property to a host of executive agencies, without any policy directives from the Congress.

For instance, recently 5,500 tons of wood screws were offered for sale by one depot. Those are items vitally needed in the civilian economy right now. They would all be grabbed up, quite properly, and would find a place, a helpful place, in the civilian economy without disturbing production anywhere. But the advertising for sale in one bulk lot, by one agency of the Government, of 5,500 tons of wood screws, to be sold to one purchaser under a sealed bid, was an invitation to speculation and an invitation to profiteering at the expense of the civilian economy, and at the expense of the Government.

Another item taken up in the amendment is the question of job placement, training, and increased unemployment benefits, which are provided for mustered-out veterans and released civilian workers during the period of conversion.

Mr. BARKLEY. Mr. President, will the Senator yield?

Mr. KILGORE. I yield.

Mr. BARKLEY. I have no information as to how long the Senator desires to pursue his argument on his amendment, but in view of the fact that there are other matters in the bill which might be disposed of this afternoon, I was wondering whether the Senator would be willing that action on the other matters be taken, and his amendment go over until tomorrow, with the understanding that the Senator have the floor when the Senate meets tomorrow.

Mr. KILGORE. With that understanding, I shall be glad to yield.

Mr. BARKLEY. I am sure that can be agreed to.

Mr. KILGORE. If it is agreed to, I am willing to have other matters taken up.

Mr. FERGUSON. Mr. President, if that is the understanding, I should like to move to strike out a certain provision which I think has been included in the bill by inadvertence. I refer to section 23, on page 86, beginning with line 12, where the bill provides:

Nothing in this act shall prevent the Director from exercising any authority conferred upon him by any other statute or Executive order.

It would appear that if we incorporated the words "or Executive order" in the bill it would permit the director to take any Executive order in the future, or one issued in the past, in preference to the provisions of the bill. As I understand, there is no objection to striking out that provision on page 86, lines 12 to 14.

Mr. MURRAY. Mr. President, I understand the Senator is asking to have stricken from the bill the language at the bottom of page 86, lines 22 to 24.

Mr. FERGUSON. No, lines 12 to 14, which read:

Nothing in this act shall prevent the Director from exercising any authority conferred upon him by any other statute or Executive order.

"Or Executive order" is the language which should be stricken out.

Mr. MURRAY. I have no objection to that language being stricken out.

Mr. GEORGE. I do not think there is any objection to that. I am rather inclined to think that language remained in the bill from the period when it was contemplated placing the Director of Contract Cancellation in the War Mobilization Board itself. Probably it is an explanatory statement. If not, I do not see any real purpose for it, and I see no objection to striking it out.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Michigan [Mr. FERGUSON].

The amendment was agreed to.

Mr. MURRAY. Mr. President, after consulting with the Senator from Ohio [Mr. TAFT] I have come to the conclusion that there is a real need for a specific mandate to the Smaller War Plants Corporation to assist small business concerns in preparing themselves for termination, and to advise them on how to obtain interim financing and secure fair

settlements. I would therefore like to propose on behalf of myself and the Senator from Ohio, an amendment to section 20 (f), to follow at the end of that subsection, after line 3, on page 84.

The PRESIDING OFFICER. The clerk will state the proposed amendment.

The CHIEF CLERK. On page 84, after line 3, it is proposed to insert the following:

The Smaller War Plants Corporation is hereby directed—

(a) to disseminate information among small business concerns with respect to interim financing, termination settlements, removal and storage of termination inventories pursuant to the provisions of this act and the regulations of the director;

(b) to assist small business concerns in connection with the securing of interim financing and the preparation of applications for such interim financing; the effecting of termination settlements; and the removal and storage of termination inventories, in order to assure that small business concerns receive fair and equitable treatment from prime contractors and intermediate subcontractors in connection with the termination of war contracts.

Mr. MURRAY. The purpose of that amendment is to have the Smaller War Plants Corporation, through its personnel, assist small contractors in preparing their claims in connection with the settlement of their contracts, and also in connection with interim financing and other matters, where the small contractors are not equipped with the expert assistants necessary to handle problems of that kind. I see no reason why that should not be done.

Mr. MALONEY. Mr. President, will the Senator yield?

Mr. MURRAY. I yield.

Mr. MALONEY. I see no objection to that amendment, but does not the Smaller War Plants Corporation have all the authority that is suggested in the proposed amendment?

Mr. MURRAY. I do not think the Corporation would be required to do that work. It has the personnel and has the ability to do it, but I do not think it would be required to do it without the proposed legislation.

Mr. MALONEY. It is pretty generally being done now, is it not?

Mr. MURRAY. The Corporation may render assistance, but, of course, when contracts begin to be terminated in larger volume it may become necessary for the Smaller War Plants Corporation to put additional workers on that kind of work to assist the contractors in preparing their forms.

Mr. MALONEY. I ask this question for information: Does the Senator see wherein the proposed amendment in any way increases the power of the Smaller War Plants Corporation?

Mr. MURRAY. No; it does not.

Mr. LANGER. Mr. President, will the Senator yield?

Mr. MURRAY. I yield.

Mr. LANGER. Who prepares the applications at the present time?

Mr. MURRAY. Who prepares the applications for the small contractors?

Mr. LANGER. Yes.

Mr. MURRAY. They prepare them themselves, or receive assistance, perhaps, from the procurement agencies to

some extent. I do not know to what extent. As a general rule, I think they have to hire a lawyer or an expert accountant, and it seems to me that with the trained personnel in the Smaller War Plants Corporation who are familiar with the problems it would be a simple matter for them to aid in working out these forms for the smaller concerns.

Mr. LANGER. I take it then it is not the intention in this amendment to set up a vast army of employees located in different areas of the United States to prepare the applications in different sections of the country. Is that correct?

Mr. MURRAY. No; there is no such intention.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Montana [Mr. MURRAY] and the Senator from Ohio [Mr. TAFT] on page 84 after line 3. The amendment was agreed to.

Mr. KILGORE. Mr. President, I desire to offer an amendment to the committee amendment on page 69, line 9, by striking out the words "by agreement with the other."

The PRESIDING OFFICER. The amendment will be stated.

The CHIEF CLERK. On page 69, in line 9 of the committee amendment it is proposed to strike out the words "by agreement with the other."

Mr. KILGORE. Mr. President, my reason for suggesting the amendment is that the wording of the bill is misleading. In subsection (f) on page 69 we find these words:

Whenever any dispute exists between any war contractor and a subcontractor regarding any termination claim, either of them—

And then come the words which I propose to strike out by my amendment—by agreement with the other—

And then comes the following language—may submit the dispute—

- (1) to the Appeal Board in accordance with subsection (d) of this section;
- (2) to a contracting agency for mediation or arbitration whenever authorized by the agency or required by the Director.

In other words, by leaving in the words "either of them," either party is given the right to appeal, but by the wording as it now stands, without striking out the words "by agreement with the other," it means that appeal can be taken only by agreement between the parties who are in conflict.

Mr. MURRAY. That leaves both parties in the same position. It may be that the contractor would prefer to take his case to the courts and have his rights adjudicated by the courts, instead of taking the appeal. So that this provision was put in the measure expressly for the purpose of giving that privilege to the contractor—the right to go into court with his claim if he does not want to follow the procedure outlined in the bill with regard to appeals to the Board. The subcontractors should be free to sue if they want to do so in the State courts, as they normally would. Any provision allowing appeals by subcontractors without an agreement on the part of the prime con-

tractors would be a one-way proposition. The prime contractor could not prevent the subcontractor from suing in the State court, even if the prime contractor was willing to go to the Appeal Board.

Mr. KILGORE. If that was the intent, Mr. President, it was misleading to me, because I thought from the wording as it now is that either of them could appeal. I cannot see why the wording "may by agreement" was not used here, as it is used in most laws.

Mr. GEORGE. Mr. President, may I make a statement in answer to the Senator from West Virginia? The Senator from Montana has made a very accurate statement of the purpose. A subcontractor who has not been recognized by the Government has no right to appeal to the Appeal Board. He has a right to go to a court. If the Government recognizes him he has an absolute right to appeal to the Appeal Board or go to court at his election.

But a subcontractor who has no contractual relation with the Government, and who has not been recognized by the Government, can, by agreement with his prime contractor, say, "We will settle the whole thing by going to the Appeal Board." That is why the language "by agreement with the other" is placed in the measure. The Government does not have anything to do with the decision made by the subcontractor and the prime contractor in that respect. If by agreement they decide to go to the Appeal Board they can go to that Board. Of course if the subcontractor has been recognized by the Government he has a right to go to the Appeal Board anyway. But in the other situation, where the prime contractor could not compel the subcontractor to go before the Appeal Board, he might want to go into court, as the Senator from Montana has explained.

Mr. KILGORE. Is there any way the subcontractor can force the United States to recognize him in the event he feels that the prime contractor is not treating him fairly?

Mr. GEORGE. He can go into court.

Mr. KILGORE. He can go into court only against the prime contractor?

Mr. GEORGE. Yes.

Mr. KILGORE. The point is that it leaves to the Government a discretionary power. The Government agencies may recognize certain contractors, but if they elect not to recognize the subcontractors they can automatically exclude them, and force them into expensive litigation in the courts.

Mr. GEORGE. That is true, but if the subcontractor and the prime contractor agree, the subcontractor could go before the appeal board.

Mr. KILGORE. The point I am making is that if the Government does not recognize the subcontractor, and if the prime contractor insists on the agreement provided by the language of the committee amendment, there is no way by which the subcontractor can protect himself. He is at the mercy of the prime contractor.

Mr. MURRAY. Of course, there is every reason to expect that agreements will be reached between the prime con-

tractors and the subcontractors, because the prime contractors will be assured that the Government will approve of settlements that are made through the appeal to the board, so that it seems to me there would be very few instances where there would be a failure to agree to the appeal.

Mr. KILGORE. I understand, but I have always found that in an eight-line mule team there was always one mule who would buck and balk and that is the reason for my amendment.

The PRESIDING OFFICER. The question is on agreeing to the amendment to the committee amendment offered by the Senator from West Virginia [Mr. KILGORE], on page 69, line 9.

The amendment to the amendment was rejected.

Mr. MURRAY. Mr. President, I have a few additional amendments to offer. They are in the nature of corrections. The first amendment I offer is on page 48, in line 9. The language "subsection (b)" should be changed to read "subsection (c)."

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Montana.

The amendment was agreed to.

Mr. MURRAY. I offer a further amendment on page 53, in line 9. The word "and" should be changed to read "any."

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Montana.

The amendment was agreed to.

Mr. MURRAY. Mr. President, that is all for the present.

Mr. LANGER. Mr. President, I should like to ask the chairman of the subcommittee a question. On page 69, in line 21, the bill reads:

For the purpose of expediting the adjudication of termination claims, the Court of Claims is authorized to appoint not more than 10 auditors and not more than 20 commissioners in addition to those provided for by the act of February 24, 1925 * * *, as amended by the act of June 23, 1930.

Mr. MURRAY. The Court of Claims has 6 commissioners now, and the bill would authorize the appointment of not more than 20.

Mr. LANGER. Does the Senator say the Court of Claims has only six auditors at the present time?

Mr. MURRAY. The Court of Claims has no auditors. It has six commissioners.

Mr. LANGER. I notice that the language does not specify the amount of the salaries they are to receive. What salaries are to be paid them?

Mr. MURRAY. They will be paid in accordance with the salaries provided for in the act.

Mr. LANGER. What is that provision?

Mr. MURRAY. It is in accordance with the legislation governing the Court of Claims. I do not have the act before me at the moment. But the salaries paid will be in accordance with the existing law.

Mr. LANGER. Does the Senator happen to know what salaries the commissioners receive?

Mr. MURRAY. No. However, it is absolutely necessary to have these additional commissioners, in the face of the tremendous task which they will have to confront. The provision for the additional commissioners has been requested by the chief justice of the Court of Claims.

Mr. LANGER. I should like to know whether the additional commissioners are to be paid \$8,000 a year or \$10,000 a year, or just what salaries they will receive.

Mr. MURRAY. I think the commissioners do not receive any high salaries, but I am not familiar with the exact amounts paid them. Can the Senator from Georgia answer that question?

Mr. GEORGE. Is the question relative to the salaries paid to the commissioners of the Court of Claims?

Mr. MURRAY. Yes.

Mr. GEORGE. I do not recall. We can obtain that information in chapter 573 of 46 Statutes 799. But I do not recall the amount of the salaries they are paid.

Mr. MURRAY. I shall endeavor to find that out in a few moments.

Mr. GEORGE. I suggest that that information can be obtained between now and the morning, and can be furnished tomorrow to the Senator from North Dakota.

Mr. MURRAY. Mr. President, I think that concludes consideration of the bill.

Mr. BARKLEY. Mr. President, let me inquire whether that concludes consideration of the measure, with the exception of the information requested by the Senator from North Dakota?

Mr. MURRAY. Yes.

Mr. MURRAY subsequently said: Mr. President, in answer to the question raised by the Senator from North Dakota [Mr. LANGER] with reference to the salaries of United States commissioners, I wish to say that I now have before me the provisions of title 28, section 270, of the United States Code Annotated. It provides that—

Each of said commissioners shall devote all of his time to the duties of his office and receive a salary of \$5,000 per annum.

Mr. LANGER. I thank the Senator.
INVESTIGATION OF SEIZURE OF
MONTGOMERY WARD PLANT

Mr. BARKLEY. Mr. President, I understand that the Senator from Virginia [Mr. BYRD] wishes to have the Senate consider a resolution dealing with an investigation of the seizure of the Montgomery Ward plant. I have suggested some amendments which I understand are acceptable.

Mr. BYRD. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Senate Resolution 286.

The PRESIDING OFFICER. The resolution will be read, for the information of the Senate.

The Chief Clerk read the resolution (S. Res. 286), as follows:

Resolved, That the Committee on the Judiciary, or any duly authorized subcommittee

thereof, is authorized and directed to make a full and complete investigation of the action of the Attorney General of the United States in seizing the plant of Montgomery Ward & Co., in forcibly removing the chairman of its board of directors from the premises, and in the use of military force in connection therewith, with a view to ascertaining whether such action was warranted and authorized under the laws of the United States.

For the purpose of this investigation, the committee, or any duly authorized subcommittee thereof, is authorized to hold such hearings, to sit and act at such times and places during the sessions, recesses, and adjourned periods of the Seventy-eighth Congress, to employ such clerical and other assistants, to require by subpoena or otherwise the attendance of such witnesses and the production of such correspondence, books, papers, and documents, to administer such oaths, to take such testimony, and to make such expenditures, as it deems advisable. The cost of stenographic services to report such hearings shall not be in excess of 25 cents per hundred words. The expenses of the committee under this resolution, which shall not exceed \$1,000, shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman of the committee.

The PRESIDING OFFICER. Is there objection to the present consideration of the resolution?

Mr. TUNNELL. I object.

The PRESIDING OFFICER. Objection is heard.

Mr. BARKLEY. Mr. President, let me say to the Senator from Delaware that I have suggested some amendments which I think will certainly obviate any objection which I had to consideration of the measure if the Senator is willing to have the amendments read. The Senator from Virginia [Mr. BYRD] and the Senator from Nevada [Mr. McCARRAN], chairman of the Committee on the Judiciary, have agreed that with these amendments there is no objection.

Mr. BYRD. Mr. President, I ask unanimous consent that the resolution be left in its present status, but that the author of the resolution, myself, be permitted to modify it by striking out all of the resolution beginning in line 10 on page 1, and continuing down to line 12 on page 2. My reason for making that request is that under the Senate rules a resolution asking for an appropriation for an investigation must be referred to the Committee to Audit and Control the Contingent Expenses of the Senate.

Mr. BARKLEY. Mr. President, is the part which the Senator from Virginia asks unanimous consent to have eliminated the part providing for an appropriation? I may state for the information of the Senator from Delaware and other Senators that my own view is that the Committee on the Judiciary already has ample jurisdiction to investigate not only the Montgomery Ward case but any other cases arising as a result of an Executive order or proclamation issued by the President. The committee is now proceeding to do so. But the Senator from Virginia has offered the resolution, and I have no objection to it, providing it is made to harmonize with the resolution heretofore offered and agreed to, and under which the Committee on the Judiciary is proceeding. Of course, I would be the last one to wish to have the investigation a one-sided or one-way

one. In order that such a situation might be obviated, I had suggested that in line 2 of the resolution, after the word "thereof", the following be inserted:

For the information of the Senate, and as a basis for any legislation the committee may deem it advisable to recommend.

That language is the language of the original McCarran resolution.

The only reason for investigations by Senate committees is to furnish the Senate information which will operate as a basis for any legislation the committee may recommend.

I have also suggested that in line 7, after the word "therewith", the following language be inserted:

Together with a full and complete investigation of the facts regarding the policies, relationships, and controversies between Montgomery Ward & Co., and its employees prior to and leading up to the taking over of such plants by the Government of the United States through any of its agencies.

Consequently, Mr. President, under this resolution, the Committee on the Judiciary would not merely investigate the taking over of the plant by the military, but would also investigate the policies, controversies, and relationships between Montgomery Ward & Co. and its employees, leading up to the taking over the plant, so that the investigation would be a real investigation of the conditions leading up to the taking over of the plant, as well as an investigation of the actual taking over of the plant by the military.

In addition, I have suggested as a further amendment that on page 1, in line 7, beginning with the word "with", the language down to and including lines 8 and 9 be stricken out. That is the language which would instruct the committee to report as to the validity of the actual taking over of the plant by the military. That matter is one upon which only the courts can pass. I feel, and the chairman of the committee also has expressed the same view, that it is not the function of the committee to pass on the legality of the action, but that its function is to investigate the facts and bring them to the attention of the Senate.

I have no objection to that sort of an investigation. I think that is the type of investigation which already is authorized and is being conducted by the Committee on the Judiciary. But the suggested amendments make the resolution harmonize with the other one.

Mr. BYRD. Mr. President I wish to say that I have gone over the amendments carefully, and I have no objection to them.

Mr. WHITE. Mr. President, will the Senator from Kentucky yield to me?

Mr. BARKLEY. I shall yield to the Senator from Maine in a moment. I have already promised to yield to the Senator from Delaware.

Mr. TUNNELL. Mr. President, my objection is based on my understanding that the Committee on the Judiciary is going ahead with an investigation. Is the investigation provided for in the resolution a separate one?

Mr. BARKLEY. No, Mr. President; it is not a separate one. In fact, the Committee on the Judiciary already is en-

gaged in that investigation, as I said a while ago. The committee has already proceeded, and has sent a man to Chicago. The resolution simply calls the attention of the Judiciary Committee to the Montgomery Ward case and authorizes it to make the same kind of investigation it is already making in regard to it.

Mr. TUNNELL. Does it simply authorize what it already has authority to do?

Mr. BARKLEY. What it has authority to do in general terms, but without reference to the particular company. That is true.

Mr. TUNNELL. I withdraw the objection.

Mr. WHITE. Mr. President, the Senator has spoken of another resolution, and an investigation and study under it. Does the Senator refer to the Shipstead resolution?

Mr. BARKLEY. Yes. It is the resolution which was adopted 3 or 4 weeks ago, authorizing the committee to investigate all Executive orders and proclamations issued by the President since March 4, 1933.

Mr. WHITE. The next question I wish to ask is whether the Shipstead resolution would authorize an inquiry into a situation which had arisen subsequent to the passage of the resolution.

Mr. BARKLEY. I think so. I believe that resolution is continuing authority on the part of the committee, not only as to proclamations and orders issued prior to that date, but those which may come along concurrently.

The PRESIDING OFFICER. Is there objection to the present consideration of the resolution?

There being no objection, the Senate proceeded to consider the resolution.

Mr. BYRD. Mr. President, I should like to modify the resolution, beginning after line 9 on page 1, by eliminating lines 10, 11, and 12 on that page, and down to and including line 12 on page 2. As I explained, the purpose is to avoid referring the resolution, under the rules of the Senate, to the Committee to Audit and Control the Contingent Expenses of the Senate.

The PRESIDING OFFICER. The Senator has the right to modify his resolution.

Mr. BARKLEY. Mr. President, I offer an amendment, on page 1, line 2, after the word "thereof", to insert "for the information of the Senate, and as a basis for any legislation the committee may deem it advisable to recommend".

The PRESIDING OFFICER. The clerk will state the amendment.

The amendment was again stated.

Mr. BYRD. Mr. President, I believe that amendment strengthens the resolution, and I have no objection to it.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Kentucky [Mr. BARKLEY].

The amendment was agreed to.

Mr. BARKLEY. Mr. President, I offer another amendment, on page 1, line 7, after the word "therewith", to insert "together with a full and complete investigation of the facts regarding the

policies, relationships, and controversies between Montgomery Ward & Co. and its employees prior to and leading up to the taking over of such plants by the Government of the United States through any of its agencies."

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Kentucky [Mr. BARKLEY].

The amendment was agreed to.

Mr. BARKLEY. Mr. President, I have another amendment to offer, on page 1, line 7, after the word "therewith", to strike out "with a view to ascertaining whether such action was warranted and authorized under the laws of the United States."

That language would seek to confer upon the committee jurisdiction to pass upon the validity and legality of the act of taking the plant, which is a matter for the courts and not for a committee of the Senate.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Kentucky [Mr. BARKLEY].

The amendment was agreed to.

Mr. BARKLEY. Mr. President, with those amendments, I have no objection to the resolution.

The PRESIDING OFFICER. The question is on agreeing to the modified resolution, as amended.

The modified resolution (S. Res. 286), submitted by Mr. BYRD on April 28, 1944, as amended, was agreed to, as follows:

Resolved, That the Committee on the Judiciary, or any duly authorized subcommittee thereof, for the information of the Senate, and as a basis for any legislation the committee may deem it advisable to recommend, is authorized and directed to make a full and complete investigation of the action of the Attorney General of the United States in seizing the plant of Montgomery Ward & Co., in forcibly removing the chairman of its board of directors from the premises, and in the use of military force in connection therewith, together with a full and complete investigation of the facts regarding the policies, relationships, and controversies between Montgomery Ward & Co., and its employees prior to and leading up to the taking over of such plants by the Government of the United States through any of its agencies.

SCHOOL LUNCH PROGRAM

Mr. LANGER. Mr. President, yesterday afternoon we attached an amendment to the Agriculture bill providing for a continuation of the school lunch program. I supported and voted for this measure at the request of many school officers, school educators, and teachers in North Dakota and was particularly happy when the bill was amended to provide that the school lunch program should continue through this year, all of 1945, and the first 6 months of 1946 because, presumably, the war will either last that long or we may have had post-war conditions.

This morning I was pleased by an article in the Christian Science Monitor and I shall ask unanimous consent to have the article made a part of this RECORD.

Certainly if the United States can feed the children of other places all over the world, we can feed those of our own

country. The record of the Selective Service Board shows that 1½ percent of those of draft age were turned down because of malnutrition. As long as I am a Member of the Senate I will support any legislation which will keep all of our little children from going hungry, whether they be located in North Dakota, the far West, the deep South, or any other part of the United States. With the largest income, running far, far into the billions more than this country has seen in all its history, there is no excuse for want, misery, suffering, and starvation on the part of little boys and girls who will some day be the citizens of this country to whom posterity will look for the preservation of America.

I ask unanimous consent to have printed in the RECORD at this point as a part of my remarks an article entitled "Senate Acts To Salvage School Lunch Program," which appeared in the Christian Science Monitor, published at Boston, under date of May 2, 1944.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

SENATE ACTS TO SALVAGE SCHOOL-LUNCH PROGRAM

(By Mary Hornaday)

WASHINGTON, May 2.—The Senate moved today to salvage and extend even to one-room schools the school-lunch program which the House voted down a few weeks ago.

Senate debate is centering around the Russell bill, which would divide authority for the program between the War Food Administration and the United States Office of Education. Heretofore, the War Food Administration has had complete authority in the distribution of Federal funds for school lunches.

Educators, spearheading their campaign through the United States Office of Education, have been arguing that the program could be reaching more children in a more effective way if local education authorities were given more responsibility in the program. The Office of Education proposed today before a Senate Agriculture subcommittee through Dr. Bess Goodykoontz, Assistant Commissioner of Education, that States be required to match Federal funds dollar for dollar, but this was opposed by the National Education Association, which argued: "Those States least able to match these funds are the ones who need the most, since they have less money and more children."

The House omitted funds for the school-lunch program for the coming year because the program, started by the old Work Projects Administration, has no statutory standing.

About 4,445,000 children in 30,000 schools in the United States are receiving lunches or milk paid for in part by the Food Distribution Administration at the present time. Of these, 12 percent are served free meals, 4 percent are served at less than prevailing charges, and 32 percent are served milk only. The rest of the children pay the prevailing charge even though this is less than cost.

The Office of Education estimates that another 30,000 schools have provided lunches for about 4,000,000 students without Federal monetary aid.

In their search for a proper basis for a permanent school-lunch program, the Senators have considered three bills:

1. The Russell bill would appropriate \$65,000,000 to the Secretary of Agriculture for school-lunch food and \$3,000,000 to the Office of Education for training of technical and supervisory personnel to operate local programs. The Office of Education funds would have to be matched by the States. Money

from both agencies would be apportioned on a basis of school enrollment to public and nonprofit schools of high-school grades and under on a basis of need.

2. The Smith-Ellender bill would appropriate \$50,000,000 to be administered by State departments of education through the United States Office of Education to provide lunches and nutrition instruction to school children. During the first year, the State and local systems would be required to contribute 30 percent of the funds and thereafter half the total expenditures.

3. The Wagner bill would continue the present school-lunch set-up, allowing the War Food Administration to spend \$80,000,000 of its funds for this purpose, compared with \$50,000,000 this year.

EXECUTIVE SESSION

Mr. BARKLEY. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to the consideration of executive business.

EXECUTIVE REPORTS OF A COMMITTEE

Mr. McKELLAR, from the Committee on Post Offices and Post Roads, reported favorably the nominations of several postmasters.

The PRESIDING OFFICER (Mr. McFARLAND in the chair). If there be no further reports of committees, the clerk will state the nominations on the calendar.

THE JUDICIARY

The legislative clerk read the nomination of Elwyn R. Shaw to be United States district judge for the northern district of Illinois.

The PRESIDING OFFICER. Without objection, the nomination is confirmed.

The legislative clerk read the nomination of Byron B. Harlan to be United States attorney for the southern district of Ohio.

The PRESIDING OFFICER. Without objection, the nomination is confirmed.

The legislative clerk read the nomination of William M. Lindsay to be United States marshal for the district of Kansas.

The PRESIDING OFFICER. Without objection, the nomination is confirmed.

The legislative clerk read the nomination of Harold K. Claypool to be United States marshal for the southern district of Ohio.

The PRESIDING OFFICER. Without objection, the nomination is confirmed.

FOREIGN SERVICE

The legislative clerk read the nomination of S. Pinkney Tuck to be Envoy Extraordinary and Minister Plenipotentiary of the United States of America to Egypt.

The PRESIDING OFFICER. Without objection, the nomination is confirmed.

The legislative clerk read the nomination of R. Henry Norweb to be Ambassador Extraordinary and Plenipotentiary of the United States of America to Portugal.

The PRESIDING OFFICER. Without objection, the nomination is confirmed.

POSTMASTERS

The legislative clerk proceeded to read sundry nominations of postmasters.

Mr. BARKLEY. I ask unanimous consent that the nominations of postmasters be confirmed en bloc.

The PRESIDING OFFICER. Without objection, the postmaster nominations are confirmed en bloc.

Mr. BARKLEY. I ask unanimous consent that the President be immediately notified of all nominations confirmed this day.

The PRESIDING OFFICER. Without objection, the President will be notified forthwith.

RECESS

Mr. BARKLEY. As in legislative session, I move that the Senate take a recess until 12 o'clock noon tomorrow.

The motion was agreed to; and (at 4 o'clock and 51 minutes p. m.) the Senate took a recess until Thursday, May 4, 1944, at 12 o'clock meridian.

CONFIRMATIONS

Executive nominations confirmed by the Senate May 3 (legislative day of April 12), 1944:

FOREIGN SERVICE

S. Pinkney Tuck to be Envoy Extraordinary and Minister Plenipotentiary of the United States of America to Egypt.

R. Henry Norweb to be Ambassador Extraordinary and Plenipotentiary of the United States of America to Portugal.

THE JUDICIARY

UNITED STATES DISTRICT JUDGE

Elwyn R. Shaw to be United States district judge for the northern district of Illinois.

UNITED STATES ATTORNEY

Byron B. Harlan to be United States attorney for the southern district of Ohio.

UNITED STATES MARSHALS

William M. Lindsay to be United States marshal for the district of Kansas.

Harold K. Claypool to be United States marshal for the southern district of Ohio.

POSTMASTERS

MISSOURI

Hugh W. Parks, Canalou.
Ida F. Davison, Elkland.
Joseph C. Mosley, Mokane.
Earl A. Banning, Oregon.

TEXAS

William G. Fuchs, Thrall.
Sarah B. Morris, Voth.

HOUSE OF REPRESENTATIVES

WEDNESDAY, MAY 3, 1944

The House met at 12 o'clock noon.

The Chaplain, Rev. James Shera Montgomery, D. D., offered the following prayer:

O God, our Father, by whom light is sown for the righteous and gladness for the upright in heart, we are mindful of Thy gracious promise: "I will never leave thee nor forsake thee." From that pride which is the root of evil do Thou spare us, and endow us with that grace which is the beginning of virtue. Without complaint and in the spirit of high privilege we pray that we may bear our responsibilities and perform our whole duty. Thou to whom all power and wisdom belongeth, possess our minds that our procedure may be just and upright.

Heavenly Father, a free country dictates its own destiny; how solemn the

thought that the law of liberty becomes supreme and that sentence is pronounced by ourselves. By the power of public opinion, the influence of home, and the law of the state—by these we are to be judged. In our Republic we follow not a path galled by chains that fret and weary the human soul but seek the highway with Thy light like a beacon before our waiting eyes. We pray for a mighty crusade against all giant evils and for those girders of unselfishness which form a human bridge by which the perishing may climb to life and safety. Grant that the consummation of this noble hope may be realized and become a disinfectant in all sections of our broad land. In the name of the Son of Man. Amen.

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate, by Mr. Frazier, its legislative clerk, announced that the Senate had passed, with amendments in which the concurrence of the House is requested, a bill of the House of the following title:

H. R. 4278. An act to provide for the control and eradication of certain animal and plant pests and diseases, to facilitate cooperation with the States in fire control, to provide for the more efficient protection and management of the national forests, to facilitate the carrying out of agricultural conservation and related agricultural programs, to facilitate the operation of the Farm Credit Administration and the Rural Electrification Administration, to aid in the orderly marketing of agricultural commodities, and for other purposes.

The message also announced that the Senate insists upon its amendments to the foregoing bill and requests a conference with the House on the disagreeing votes of the two Houses thereon, and appoints Mr. SMITH, Mr. RUSSELL, Mr. BANKHEAD, Mr. SHIPSTEAD, and Mr. AIKEN to be the conferees on the part of the Senate.

The message also announced that the Vice President has appointed Mr. BARKLEY and Mr. BREWSTER members of the joint select committee on the part of the Senate, as provided for in the act of August 5, 1939, entitled "An act to provide for the disposition of certain records of the United States Government," for the disposition of executive papers in the following departments:

1. Department of the Navy.
2. Department of War.

ERADICATION OF INSECT PESTS, FOREST CONTROL, AND AGRICULTURAL CONSERVATION

Mr. FLANNAGAN. Mr. Speaker, I ask unanimous consent to call up the bill (H. R. 4278) to provide for the control and eradication of certain animal and plant pests and diseases, to facilitate cooperation with the States in fire control, to provide for the more efficient protection and management of the national forests, to facilitate the carrying out of agricultural conservation and related agricultural programs, to facilitate the operation of the Farm Credit Administration and the Rural Electrification Administration, to aid in the orderly